

NO. FBT-CV15-6054375-S

PAUL LIONETTI
PLAINTIFF

v.

WESTERN CONNECTICUT
STATE UNIVERSITY
DEFENDANT

: SUPERIOR COURT
:
:
: JUDICIAL DISTRICT OF
: AT BRIDGEPORT
:
:
:
: October 27, 2016

AFFIDAVIT OF CHARLES ALEXANDER

I, Charles Alexander, having been duly sworn and upon oath testify as follows:

1. I am over eighteen years of age and believe in the obligation of an oath.
2. This affidavit is based upon my own personal knowledge and the exhibits attached to this affidavit are all true and accurate copies.
3. I am the Director of Judicial Affairs at Western Connecticut State University. As the Director of Judicial Affairs, I am responsible for investigating violations of the University's Student Code of Conduct, and I'm also responsible for conducting student disciplinary proceedings.
4. On August 26, 2015, I received two incident reports from Resident Director Shelah Bethke. The incident reports pertained to two of the University's students and residential advisors. **Exhibit A.** One of the incident reports is from AB, the student complainant, and the other is from Shealah Bethke documenting her discussions with the complainant and with Mr. Lionetti.
5. I began an internal investigation after receiving the two incident reports. Based on the allegations of physical and emotional abuse in the incident reports, I directed that Mr. Lionetti and the victim not have contact with each other. I also

directed that pending the investigation and disciplinary hearing that both students not have access to each other's residence halls.

6. On August 31, 2015, I sent Paul Lionetti in e-mail letting him know that I had received a report from housing and that I would like to meet with him. **Exhibit B.** I attempted to schedule the meeting for September 2, 2015, but Paul was unavailable on that date and instead we scheduled the meeting for September 1, 2015 at 10:30 a.m. at my office in the Westside Campus Center, suite 320.

7. Paul and I met on September 1, 2015. At our meeting I went through the two incident reports that I had received from Shelah Bethke. We discussed the allegations in the reports, and we also discussed the disciplinary hearing process. I also let Paul know that he could have a copy of the incident reports after I redacted student identifiable information. I produced redacted versions of the incident reports and had them ready for Mr. Lionetti to pick up the next day, but he never came in to pick up the redacted reports.

8. The next day on September 2, 2015, I heard that Mr. Lionetti had decided to take leave from the University. **Exhibit C.** I sent him an e-mail to confirm whether he was in fact withdrawing from the University. I also let him know that the hearing was still scheduled for September 9, 2015 and I asked him to let me know whether he planned to attend the hearing. I also offered to answer any questions that he might have.

9. Paul promptly responded to my e-mail and confirmed that he was in the process of withdrawing from the University. **Exhibit C.** He wrote that he would not be attending the disciplinary hearing next week due to the state of his mental health.

10. A couple of hours later on September 2, 2015, I sent the following reply to Paul: "I'm sorry to hear about your decision. That being said, we will still have the University Judicial Board hearing next week. As stated in the Student Code of Conduct we will put a plea of not-responsible on your behalf and proceed with our normal process. Attached is a copy of the hearing notice that was going to be delivered to you today at Pinney Hall. I will let the complainant know that you will not be attending the hearing. If you have any questions at all, please feel free to contact me. Thank you." **Exhibit C.**

11. In a response e-mail, Paul asked me if he could submit a written plea. I told him that he could and sent him a statement report that he could fill out and that I would read to the Judicial Board. I also explained the limitations of a written statement (the Judicial Board could not ask him questions) and explained that once a decision is issued he could appeal the decision. I also told him that the decision would include information on the appeal process. Paul responded that he would submit his statement within a few days. **Exhibit C.**

12. I e-mailed Paul notice of the hearing on September 2, 2015. The notice is attached hereto as **Exhibit D.** My e-mailing of the notice followed our in-person meeting where we went over the incident reports and the allegations that the complainant had made against him. The notice stated the date of the hearing, the charges against him, and advised Paul of his rights.

13. The notice advised Paul of the following rights:

- "You have the right to face your accusers, call witnesses in your behalf, cross-examine witnesses, and, in general, present a defense in your behalf;

- Any exculpatory evidence related to the incident(s) coming into possession of the staff of the Office of Student Affairs will be provided to you prior to the hearing;
- By making a written request to the hearing officer, and subject to state and federal statutes governing personal privacy, you may obtain a copy of the incident report(s) on which charges have been based;
- You will not be required to make any response to charges or testify in your own defense. Refusal to respond will not be regarded as evidence of guilt;
- If you do not appear for your hearing, this will not be taken as evidence of guilt. In that event, a plea of 'not responsible' will be entered in your behalf, and the hearing will proceed in a normal manner;
- Hearings are closed, but the hearing body may, in its discretion, admit any person to the hearing room."

The notice also directed Paul to review a copy of the Western Connecticut State

University's Student Code of Conduct and Statement of Judicial Procedures. **Exhibit D.**

14. On September 4, 2015, Paul called me and let me know that he would be attending the hearing on September 9, 2015 and that he would be bringing his parents as his support persons.

15. On September 8, 2015 at 3:57 p.m, the day before the hearing, I received an e-mail from Paul informing me that he had begun speaking with an attorney and that the attorney was requesting an extension of time and a copy of the complainant's statement and any other witnesses' statements. **Exhibit E.** I also received a call from Paul's parents at 3:36 p.m.

16. I denied Paul's request for a continuance. The University's Student Code of Conduct states that "[t]he Accused Student shall be afforded a reasonable time to prepare for the hearing, which period of time shall not be less than three (3) Calendar Days. The Accused Student, the Reporting Party and/or any alleged victim may

request a delay of the hearing due to extenuating circumstances." **Exhibit F**, at p. 17.

The Code of Conduct also notes that in any hearing alleging intimate partner violence, the accused may "be accompanied to any meeting or proceeding by an advisor or support person of their choice, provided that the advisor or support person does not cause a scheduled meeting to be delayed or postponed." **Exhibit F**, at p. 17.

17. I denied Paul's request for a continuance because it was requested on the eve of the hearing and because he did not present any extenuating circumstances. The Code of Conduct clearly notes that a support person cannot delay a scheduled hearing. Paul could have an attorney as his support person, but the attorney would not be able to participate in the hearing. The disciplinary hearings are not courts of law. The evidence against Paul is not presented by an attorney and the individuals conducting the hearing are not attorneys. As the Code of Conduct states "[t]he disciplinary process is intended to be part of the education mission of the [University]. Student disciplinary proceedings are not criminal proceedings and are not subject to court rules of procedure and evidence." **Exhibit F**, at p. 1.

18. I sent Paul the following response to his request for a continuance and the incident reports. "The hearing will still take place tomorrow and there will be no continuance. I made a copy of all reports for you when you requested, but you then withdrew from the university. Please come early tomorrow and I will give you those copies. Please let me know what time you will be arriving." **Exhibit E**.

19. Before the hearing on September 9, 2015, I gave Paul a copy of the incident reports (**Exhibit A**) and a copy of statements made by his suitemate (**Exhibit**

G) and by the complainant's roommate (**Exhibit H**). On the morning of the hearing, Paul also gave me a copy of his statement which I gave to the complaint. **Exhibit I**.

20. On September 9, 2015, we held a hearing. The hearing was recorded and a transcript has been created from that recording. The transcript is a true and accurate transcription of the audio recording. The audio recording cuts out at the end of the hearing. The transcript is attached hereto as **Exhibit J**.

21. Paul came to the hearing with his parents, but he decided that he wanted to attend the hearing by himself.

22. The University Judicial Board issued its decision on September 10, 2014. **Exhibit K**. Based on the testimony given, the Judicial Board found Paul responsible for the three charges brought against him. The Judicial Board issued a sanction of loss of privileges. The sanction states that, "[y]ou have withdrawn from the university and as you stated during the hearing, you do not feel that you will return to WCSU. The University Judicial Board wanted it stated that they were surprised that you did not take ownership for any of the charges. You are banned from WCSU property until 8/20/16. If you decide to come back on 8/20/16, you are banned from residing in and visiting all residence halls. Also, you would be permitted to only attend academic activities, the libraries, and student centers. You stated to the board that you are currently seeing a counselor. If you decide to return to WCSU, you will first need to meet with the Dean of Students to ensure that you are all set to return. You are not to have contact by any means (i.e., technology, other friends, etc.) with [complainant]. If you need to come to campus for any reason, you must contact the Student Affairs office to be granted permission."

23. The decision also explained the appeal process. I am not involved in the appeal process, and I directed Paul to direct any questions regarding an appeal to the Assistant Dean of Student Affairs as noted on the appeal forms.

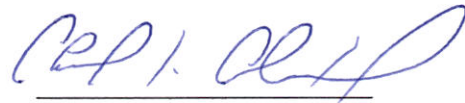
24. Although I was not involved in the appeal process, as Director of Judicial Affairs I was carbon copied on the Assistant Dean of Student Affairs' final decision.

Exhibit L.

25. Paul through his appeal convinced the Assistant Dean of Student Affairs to modify the sanction that the Judicial Board imposed. The final decision notes that "[b]ased on the fact that you were able to demonstrate (2) that the sanctions imposed were not commensurate with the gravity of the offense for which you were found responsible, I am conditionally modifying your sanctions." **Exhibit L.**

26. Daryle J. Dennis, Assistant Dean of Student Affairs modified Paul's sanction as follows: "effective immediately, your ban from WCSU property is lifted. You stated in your Appeal letter that you have withdrawn from the university and that you feel that you will not be returning to campus. Should you change your mind and decide to return to WCSU for any reason (student, guest), you must first request permission from the Dean of Student Affairs Office. That request must include written documentation from a licensed clinician/counselor that you are not a threat to yourself or others." **Exhibit L.**

I have read the foregoing and it is all true and accurate to the best of my knowledge and belief.

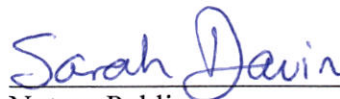


Charles Alexander

STATE OF CONNECTICUT)

COUNTY OF FAIRFIELD)

Sworn and subscribed before me on this 31 th day of October, 2016



Notary Public

SARAH DAVIN
NOTARY PUBLIC
MY COMMISSION EXPIRES AUG. 31, 2021



RECEIVED
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FBI - NEW YORK

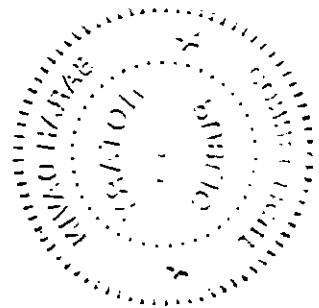


EXHIBIT A

Charles Alexander

From: Shealah Bethke
Sent: Thursday, August 27, 2015 3:36 PM
To: Charles Alexander
Cc: Ron Mason; Maribeth Griffin
Subject: Re: RE:

Thank you Charlie. I have informed both A [REDACTED] and Paul of the interim ban and no contact for each other.

Sent from my iPad

On Aug 27, 2015, at 11:20 AM, Charles Alexander <alexanderc@wcsu.edu> wrote:

Shealah,
Carolyn Lanier gave me the green light to start the investigation. I asked Walt to in the interim have RA Lionetti banned from visiting Grasso Hall and told to have no contact by any means with RA B [REDACTED]. RA B [REDACTED] needs to be banned from Pinney Hall and told to have no contact with RA Lionetti.

Thanks,
Charlie,

Charles J. Alexander
Director of Judicial Affairs
Western Connecticut State University
Campus Center, suite 320
(203) 837-8770
Fax (203) 837-8870

From: Shealah Bethke
Sent: Wednesday, August 26, 2015 12:47 PM
To: Charles Alexander <alexanderc@wcsu.edu>
Cc: Ron Mason <MasonR@wcsu.edu>; Maribeth Griffin <griffinm@wcsu.edu>
Subject:

Good afternoon Charlie,

Attached are two IR's in regards to two of our RA's who had some relationship challenges. You will see that 1 IR is from RA A [REDACTED] B [REDACTED] who is making the full report and the other is from me with my involvement in it.

Please let me know if you have any questions,

Thanks,
Shealah

WCSU JUDICIAL AFFAIRS

181 WHITE STREET • DANBURY • CT • 06810 • (203) 837-8770

INCIDENT REPORT FORM

Case Information

Day/Date of Incident: Spring Semester (Multiple Incidents) Time of Incident: Multiple Times

Location of Incident: Grasso Hall

Witnesses:

Personal Information / Individuals Involved:

Name: Ashley Busse	Name: Paul Llonetti	Name:	Name:	Name:
Identification #: 50200229	Identification #: 50185866	Identification #:	Identification #:	Identification #:
Address: GH 309	Address: <i>(21 532)</i> GH 403	Address:	Address:	Address:
Phone #: 203-994-6709	Phone #: 203-331-6308	Phone #:	Phone #:	Phone #:

Name:	Name:	Name:	Name:	Name:
Identification #:	Identification #:	Identification #:	Identification #:	Identification #:
Address:	Address:	Address:	Address:	Address:
Phone #:	Phone #:	Phone #:	Phone #:	Phone #:

Director of Judicial Affairs Initials: <i>[Signature]</i>	<small>For Student Affairs Use Only Do not write in these spaces.</small> <i>Rec. 8/27/15</i>	Case # <i>WF15-01</i>
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Incident Description:

In detail, describe the entire incident, beginning with how the alleged infraction was discovered. Please use the back of this page and additional pages as necessary.

I invited Resident Assistant Paul Lionetti to my room in Grasso, 309, to discuss my concerns about staff. I mentioned that Resident Assistant C [REDACTED] R [REDACTED] didn't seem to want me to speak to him. RA Lionetti told me that RA R [REDACTED] only befriended me for the sole purpose of keeping me away from him, and told me to stay away from her and not to listen to her. Throughout the semester, RA Lionetti told me that the whole staff hated me, thus isolating me from staff. RA Lionetti would reassure me that I could just hang out with him since no other staff member liked me. The isolation caused tension on staff, and soon led to arguments between RA F [REDACTED] and myself that was eventually settled by Resident Director Melissa Sanders. Throughout this time that I did not get along with RA R [REDACTED] RA Lionetti told me he would have dreams about shooting and stabbing her. RA Lionetti also told residents that RA R [REDACTED] was mentally unstable and stalking him. RA Lionetti would say that RA R [REDACTED] was the crazy one, and that he was the sane one. RA Lionetti told this to several residents. My relationship with RA Lionetti became intimate towards the end of February 2015, although it was not classified as an official relationship. When we became intimate I asked RA Lionetti if we could tell RD M [REDACTED] S [REDACTED] about our relationship, as I didn't want to get in trouble by having a relationship like that with a staff member. RA Lionetti told me that if I was to tell RD S [REDACTED] about our relationship we would get fired, resulting in me not telling RD S [REDACTED]. Eventually RD S [REDACTED] heard that RA Lionetti and myself were intimate and questioned me on whether or not it was true. I told RD S [REDACTED] that it was true and told her that I wanted to tell her but RA Lionetti told me I would get fired if I told. After RD S [REDACTED] spoke to me, I informed RA Lionetti that she knew. RA Lionetti then sent a text to RD S [REDACTED] asking if himself and I could become official. On April 22nd, 2015, RA Lionetti and I were in an official relationship that was known by the public. Throughout the weeks I was involved in the relationship, RA Lionetti would constantly remind me that staff hates me and that he was the only one I could trust. On the night of May 6th, 2015 I was invited by RA Lionetti to go to his room in Grasso, which was 403. We were

lying on his bed joking around and laughing. I began to poke RA Lionetti, in which he responded by laughing and playfully saying to stop. RA Lionetti continued laughing but then stopped. RA Lionetti then slapped me across the face hard enough to have it sting. RA Lionetti then began crying and told me that he was a horrible person. RA Lionetti also informed me that he hears voices, which he thinks are spirits. I asked RA Lionetti if the voices told him to slap me and he told me no. I began to comfort RA Lionetti by allowing him to cry on my shoulder and reassuring him that he was not a horrible person. After about 30 minutes RA Lionetti fell asleep. After school let out, RA Lionetti and I continued to date. Throughout the summer RA Lionetti and I constantly fought. RA Lionetti called me chubby as well as informed me that his mother did not think I was good enough for him. I also witnessed RA Lionetti lie to his parents and friends about what happened between RA R [REDACTED] and himself. RA Lionetti told people that RA R [REDACTED] and he were never in a sexual relationship, and that RA R [REDACTED] would not leave him alone. These statements he made were not true. During the summer, RA Lionetti and myself broke up around mid July. The days leading up before the incident, RA Lionetti told me that if I broke up with him he would drop out of school. RA Lionetti also told me that if I broke up with him he would kill himself. When I expressed my concerns to RA Lionetti about how I felt when he said those things, RA Lionetti told me I was verbally attacking him and that he was not the one that was emotionally abusive, but that I was. Around early August I agreed to get back together with RA Lionetti. When I mentioned to RA Lionetti that he should get counseling to deal with his anger RA Lionetti told me that counseling was for the weak. He then told me I was the one who should see a counselor as "I would be able to talk to them without them talking back." On August 16th, 2015 I returned to WCSU as a Resident Assistant in Grasso Hall. RA Lionetti also moved in on this date to Pinney Hall. The night before RA Lionetti and myself made an agreement that he could sleep over that night. However, during the night of August 16th, RA [REDACTED] Z [REDACTED] and RA G [REDACTED] [REDACTED] texted me and asked if they could come see my room. I then turned to RA Lionetti and asked him to leave the building, as I would like time to bond with my staff alone. I apologized about breaking off the plans. After RA

[REDACTED] and RA [REDACTED] had left I texted RA Lionetti and told him to just stay the night in his room in Pinney as I was unsure if we could come back over, because I was under the impression he was not allowed over. RA Lionetti called me and while crying over the phone began to swear at me. "What the fuck A [REDACTED], we made plans and you ditched me for your staff. Now I'm all alone. I'm hearing the voices again. I'm always so alone." The next day I avoided RA Lionetti as I was upset by what he had said. RA Lionetti then called me that night. We fought on the phone and I told RA Lionetti that I did not like what he had said. RA Lionetti then told me "I did not do anything wrong, A [REDACTED]. You were the one who ditched me. You made me feel like I did in high school when I was bullied. You always make me feel so alone." I began to hear a weird background noise while we were on the phone. When I asked RA Lionetti what he was doing, RA Lionetti told me he was punching the wall. The following morning I once again avoided RA Lionetti in fear of his verbal harassment. Later that night RA Lionetti confronted me through text about avoiding him. I told RA Lionetti everything in the past and present he had done to make me upset at him. RA Lionetti apologized and told me through text that "I would fall apart without you in my life. I don't know what I would do if we broke up." RA Lionetti then began calling me. I sent him a text telling him to stop calling me, but he did not stop. He called me 7 times and left 4 voicemails on my phone of himself crying. He then demanded I answer the phone because "I'm having a panic attack. You should know what that is like." He also began saying through text "A [REDACTED], please answer. A [REDACTED], I'm hearing the voices again. A [REDACTED] answer." I eventually picked up the phone and agreed to talk to RA Lionetti the next day after scheduling for desk hours. On Friday, August 21st, around 9p.m. I met RA Lionetti by the student center. RA Lionetti told me that because I told him all the reasons I was mad at him at once that "I was making him feel shilly and that I was verbally attacking him, making me emotionally abusive." I told RA Lionetti that we needed to break up. RA Lionetti began crying. He then started making a fist with one hand and punching it into his other palm. RA Lionetti began standing up and twitching, while continuing to punch his palm. RA Lionetti also began saying "123, 123, 123" over and over again. RA Lionetti then began

backing away from me and told me that "this can't be happening." I stood up and told RA Lionetti that "ever since you hit me I was afraid of you." RA Lionetti ran behind the classroom building on Westside crying. When this happened I walked back to Grasso. RA Lionetti then called me 10 minutes after. I asked Lionetti if he had hurt himself and he said he was going to. I told him I would see him in training and he replied by "No you won't." When I asked why he replied "I'm not mentally stable." Later that night I texted RD [REDACTED] and asked if I could speak to her. When I went into her office I told her that RA Lionetti and I broke up and that RA Lionetti threatened to hurt himself. RD [REDACTED] informed me that he had already called to let her know we broke up and checked up on him again to make sure he was alright. On Monday, August 24th, 2015 I went back to RD [REDACTED] and told her about Paul hitting me last semester, as well as a lot of things that has happened between us. RD [REDACTED] informed R M [REDACTED] and filled out the Interpersonal Violence Form. After RA Lionetti had a meeting on midtown with Housing Director Ron Mason and the counseling center, RA Lionetti drove to Lake Compounce where he approached the Grasso staff happily to let them know that he drove himself here. RA Lionetti does not know any staff members in Grasso very well, so RA Lionetti was going out of his way to make his presence known. I was also informed by RA [REDACTED] (CH) that RA Lionetti had called me a black out drunk and an alcoholic a few days prior to this. On Wednesday, August 26th, 2015 I met with RD Bethke, Director of HRL Ron Mason, and M [REDACTED] G [REDACTED] to disclose this information and to make a formal report about everything stated above. Since RA Lionetti has been slandering my name, approaching the Grasso staff unexpectedly, and from his previous impulsive actions and behaviors I still do not feel safe around him.

I understand that by completing and signing this report, I am stating that what is contained herein is true to the best of my knowledge. I also expect that the university will take whatever action is deemed necessary to correct the problem identified in this report and I will be willing to back up this report with testimony, if necessary.

A [REDACTED] B [REDACTED]

A [REDACTED] B [REDACTED]

8/26/15.

Print Name
081099

Signature

Date of Report

Side 2; Page

of

Incident Description

WCSU JUDICIAL AFFAIRS

181 WHITE STREET • DANBURY • CT • 06810 • (203) 837-8770

INCIDENT REPORT FORM

Case Information

Day/Date of Incident: Friday, August 21st, 2015 & Monday, August 24th, 2015

Time of Incident: 8/21/15 @ 9:05PM, 8/24/15 @ 6:30PM

Location of Incident: Grasso Hall RD Office


Witnesses: A [redacted] B [redacted], Ron

Mason, Maribeth Griffin, And Officer LaClair

Personal Information / Individuals Involved:

Name: Ashley Busso	Name: Paul Lionetti	Name:	Name:	Name:
Identification #: 50200229	Identification #: 50185866	Identification #:	Identification #:	Identification #:
Address: GH 412	Address: PH D32B	Address:	Address:	Address:
Phone #: 203-994-6709	Phone #: 203-331-6308	Phone #:	Phone #:	Phone #:

Name:	Name:	Name:	Name:	Name:
Identification #:	Identification #:	Identification #:	Identification #:	Identification #:
Address:	Address:	Address:	Address:	Address:
Phone #:	Phone #:	Phone #:	Phone #:	Phone #:

Director of Judicial Affairs Initials: 	<small>For Student Affairs Use Only Do not write in these spaces.</small> <u>118. 8/27/15</u>	Case # <u>WF15-01</u>
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Incident Description:

In detail, describe the entire incident, beginning with how the alleged infraction was discovered. Please use the back of this page and additional pages as necessary.

On Friday, August 21st, 2015 at around 9:05PM RA Paul Lionetti called me stating that he was a bit emotional and didn't think he would be at training tomorrow. I asked Paul what was going on, and he stated that he and RA A [REDACTED] B [REDACTED] had just broken up. RA Lionetti stated that he had just gotten off the phone with his parents, but that he was still emotional. I talked to Paul for about 10 minutes in which he stated that he felt better and understood he could not miss training because of this. RA Lionetti stated that was going to go watch a movie with the rest of the Pinney staff and do some RA work. At 10:40PM RA A [REDACTED] B [REDACTED] called me stating that she would like to talk to me about some issues but was on midtown. When RA B [REDACTED] came to Grasso she informed me that she and RA Lionetti had just broken up and she was unsure of what he may be doing because of it. RA B [REDACTED] stated that RA Lionetti had some issues back in high school from bullying and he use to harm himself. At this moment, I informed RA B [REDACTED] that RA Lionetti had already reached out to me about this issue and we talked for some time in regards to his emotional well-being. I informed RA B [REDACTED] that I did not believe that RA Lionetti would harm himself given that he reached out to me and he seemed more than fine on the phone after speaking with him, and that I had planned to already check up on him in about 30 minutes or so because he was watching a movie with the staff. At this moment RA B [REDACTED] felt a little more at ease and left my office. I contacted Paul via text at 11:09PM to check in on him and ask about the movie. Paul replied back in a manner that was positive and seemed to be doing well. We talked via text for 10 minutes at which I stated I would see him and the rest of the Pinney staff tomorrow morning.

On Monday, August 24th, 2015 at approximately 6:30PM RA A [REDACTED] B [REDACTED] approached me in my office stating she wanted to talk. RA B [REDACTED] closed the door and proceeded to disclose information about how she does not feel safe around RA Paul Lionetti. RA B [REDACTED] informed me that RA Lionetti had been physically and emotionally abusive to her since last semester. RA

E [REDACTED] informed me that RA Lionetti manipulated her into isolation from the Grasso staff last spring, RA E [REDACTED] also stated that RA Lionetti slapped her across the face on May 6th, 2015 while they were playing around lying in bed. RA B [REDACTED] stated that RA Lionetti's behavior and attitude changed drastically from playing around, to physically assaulting her, and then becoming emotional by crying. RA E [REDACTED] proceeded with telling me that RA Lionetti has threatened to harm himself, kill himself, and leave school if she ever broke up with him. RA E [REDACTED] also claimed that RA Lionetti informed her that he hears voices and see's "spirits" when he is upset or angry, but that they are not malicious. RA E [REDACTED] also mentioned that the same experience she was dealt with with RA Lionetti is the same that RA C [REDACTED] had last fall and early spring. RA B [REDACTED] also stated that she has witnessed and experienced RA Paul Lionetti's manipulation and compulsive lying with situations that involve him. After RA Busse disclosed all this information, I informed her that I did not feel comfortable not reporting this to Ron Mason and that I would need to complete the Interpersonal Violence Form. RA E [REDACTED] stated she understood. I called Ron Mason at 7:32PM explaining everything that RA A [REDACTED] B [REDACTED] had just stated. After speaking with him, Ron Mason informed me to fill out the IPV form and submit to the Police Department and that he wanted to have a meeting with A [REDACTED] first thing on Tuesday. In between this time I spoke with RA A [REDACTED] B [REDACTED] again and we filled out the IPV form together. After completion of the form I called Ron Mason back stating what the next process would be to come on campus and handle the incident now. Ron Mason informed me to call Ree Gunther and see what advice she could give us. I called Ree Gunther at 8:48PM and left a voicemail. I then proceeded to let Ron Mason know this information. I called University Police a short time afterwards to come retrieve the IPV form. Officer LaClair responded and we spoke for some time and he provided advice that I could give to RA E [REDACTED] as she wished to remain anonymous at this moment. I followed up with RA E [REDACTED] later and made sure that she felt okay and that we would speak to Ron Mason first thing in the morning. On Tuesday, August 25th, 2015 Ron Mason called me stating that he had informed Ree Gunther of everything and that he would be holding a meeting with RA Paul Lionetti. Ron

Mason also spoke with me and RA B [REDACTED] about this process, and her responsibilities for RA training for the day. RA B [REDACTED] wished to go home and decompress as she was emotional and believed that going off campus for the day would help her regroup. At about 11:30AM, RA Paul Lionetti was permitted to join the rest of the staff for RA training at Lake Compounce and I met him when he arrived at approximately 12:40PM. RA Lionetti seemed in good spirits and we spoke briefly about his meeting with Ron Mason earlier that morning in which he stated he understood everything that the department needed to do.

On Wednesday, August 26th, 2015 RA B [REDACTED] and I spoke about how she was feeling and she mentioned that she still did not feel safe and wanted to make a full report about RA Paul Lionetti. At approximately 9:40AM RA A [REDACTED] B [REDACTED] made a verbal report with Ron Mason, Maribeth Griffin, and myself.

I understand that by completing and signing this report, I am stating that what is contained herein is true to the best of my knowledge. I also expect that the university will take whatever action is deemed necessary to correct the problem identified in this report and I will be willing to back up this report with testimony, if necessary.

Shealah Bethke _____
Print Name
081099

Shealah Bethke
Signature

8/26/15 _____
Date of Report

EXHIBIT B

Subject: FW: meeting

Date: Wednesday, December 2, 2015 at 11:38:45 AM Eastern Standard Time

From: Charles Alexander

To: Fred Cratty

Charles J. Alexander
Director of Judicial Affairs
Western Connecticut State University
Campus Center, suite 320
(203) 837-8770
Fax (203) 837-8870

From: Charles Alexander

Sent: Wednesday, September 16, 2015 9:06 AM

To: Daryle Dennis <dennisd@wcsu.edu>

Cc: Walter Cramer <CramerW@wcsu.edu>

Subject: FW: meeting

When we met on Tues., 9/1, not only did I go over the reports with him, I told him I would make a copy for him as well, but black out other student's identifiable information. The next day it was ready for him but he never picked it up and withdrew from the university.

Charles J. Alexander
Director of Judicial Affairs
Western Connecticut State University
Campus Center, suite 320
(203) 837-8770
Fax (203) 837-8870

From: Charles Alexander

Sent: Monday, August 31, 2015 2:54 PM

To: Paul Lionetti <lionetti007@connect.wcsu.edu>

Subject: Re: meeting

Come by tomorrow morning at 10:30 am.

Sent from my iPhone

On Aug 31, 2015, at 2:51 PM, "Paul Lionetti" <lionetti007@connect.wcsu.edu> wrote:

That may be cutting time close because of my 1:40 on midtown. Could Tuesday work better? I have nothing until 5:25 that day

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Charles Alexander <alexanderc@wesu.edu>

Date: 08/31/2015 1:00 PM (GMT-05:00)

To: Paul Lionetti <lionetti007@connect.wesu.edu>

Cc: Shealah Bethke <bethkes@wesu.edu>

Subject: meeting

Good afternoon Paul,

I'm in receipt of a report from housing and I would like to meet with you after your class this Wed., 9/2 at 12:30 pm in my office in the Westside Campus Center, suite 320. Please let me know if this works for you. Thank you.

Charlie

Charles J. Alexander

Director of Judicial Affairs

Western Connecticut State University

Campus Center, suite 320

(203) 837-8770

Fax (203) 837-8870

EXHIBIT C

Thursday, December 3, 2015 at 6:15:22 PM Eastern Standard Time

Subject: FW: Judicial Board hearing

Date: Wednesday, December 2, 2015 at 11:36:00 AM Eastern Standard Time

From: Charles Alexander

To: Fred Cratty

Charles J. Alexander
Director of Judicial Affairs
Western Connecticut State University
Campus Center, suite 320
(203) 837-8770
Fax (203) 837-8870

From: Charles Alexander

Sent: Wednesday, September 02, 2015 1:45 PM

To: Paul Lionetti <lionetti007@connect.wcsu.edu>

Subject: RE: Judicial Board hearing

That's fine.

Charles J. Alexander
Director of Judicial Affairs
Western Connecticut State University
Campus Center, suite 320
(203) 837-8770
Fax (203) 837-8870

From: Paul Lionetti [<mailto:lionetti007@connect.wcsu.edu>]

Sent: Wednesday, September 02, 2015 1:43 PM

To: Charles Alexander <alexanderc@wcsu.edu>

Subject: RE: Judicial Board hearing

Thank you Mr. Alexander. I will have my reply in a few days.

Regards,
Paul Lionetti

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Charles Alexander <alexanderc@wcsu.edu>

Date: 09/02/2015 1:40 PM (GMT-05:00)

To: Paul Lionetti <lionetti007@connect.wcsu.edu>

Subject: RE: Judicial Board hearing

Good afternoon Paul,

Please fill out the attached statement report and I will read that in to the Judicial Board next week. Unfortunately they wouldn't be able to ask you questions regarding your statement. Once you receive the hearing outcome at your house, you can appeal the decision if you disagree with any decision. All of that information on how to appeal will be in your hearing outcome letter. Please let me know if you have any other questions.

Charles J. Alexander
Director of Judicial Affairs
Western Connecticut State University
Campus Center, suite 320
(203) 837-8770
Fax (203) 837-8870

From: Paul Lionetti [<mailto:lionetti007@connect.wcsu.edu>]
Sent: Wednesday, September 02, 2015 1:37 PM
To: Charles Alexander <alexanderc@wcsu.edu>
Subject: RE: Judicial Board hearing

Mr. Alexander.

I was wondering if I could possibly submit a written plea and would also like to know how any ruling would affect me.

Regards,
Paul Lionetti

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Charles Alexander <alexanderc@wcsu.edu>
Date: 09/02/2015 12:34 PM (GMT-05:00)
To: Paul Lionetti <lionetti007@connect.wcsu.edu>
Cc: Walter Cramer <CramerW@wcsu.edu>
Subject: RE: Judicial Board hearing

Paul,

I'm sorry to hear about your decision. That being said, we will still have the University Judicial Board hearing next week. As stated in the Student Code of Conduct we will put a plea of not-responsible on your behalf

and proceed with our normal process. Attached is a copy of the hearing notice that was going to be delivered to you today at Pinney Hall. I will let the complainant know that you will not be attending the hearing. If you have any questions at all, please feel free to contact me. Thank you.

Charles J. Alexander
Director of Judicial Affairs
Western Connecticut State University
Campus Center, suite 320
(203) 837-8770
Fax (203) 837-8870

From: Paul Lionetti [<mailto:lionetti007@connect.wcsu.edu>]
Sent: Wednesday, September 02, 2015 10:36 AM
To: Charles Alexander <alexander@c@wcsu.edu>
Subject: Re: Judicial Board hearing

Dear Mr. Alexander,

I am actually in the process of withdrawing from the university. With the recent turn of events I can no longer focus on my studies effectively and am extremely disappointed in how things have been handled by the administration. I am also upset by the fact that I am being unjustly and unfairly accused of actions that are untrue. I continue to try and distance myself from my accuser and I tried to move on academically but I am continuously pursued and overwhelmed. I am working with my parents to obtain a health professional to assist myself in recovering.

I will not be attending the meeting next week due to the state of my mental health. I also feel that it would not be a efficient use of my time based again on the current state of my mental health and false accusations.

Regards,
Paul Lionetti

From: Charles Alexander <alexander@c@wcsu.edu>
Sent: Wednesday, September 2, 2015 10:03 AM
To: Paul Lionetti
Subject: Judicial Board hearing

Good morning Paul,
It was brought to my attention that you have taken a leave from WCSU. I just wanted to confirm if that was

true. Also, the hearing is still scheduled for next Wed., 9/9/15 in the Westside CC, room 315. Please let me know if you will be attending or if you have any questions. Thank you.

Charlie

Charles J. Alexander
Director of Judicial Affairs
Western Connecticut State University
Campus Center, suite 320
(203) 837-8770
Fax (203) 837-8870

EXHIBIT D



Paul Lionetti
PH D32

Dear Paul,

This is to formally notify you of your hearing before the University Judicial Board. The hearing is scheduled for:

Date: 9/9/15 Location of Hearing: Westside Campus Center, room 315
Time: 9:30 am

The hearing is in relation to an incident with the following particulars:

Case #: WP15-01 Incident Date: 8/26/15 (date reported)
Incident Time #: varies Location: GH and various other locations

The following charges are being considered against you:

Regulation Violated: 4 "Actual or threatened physical assault or abuse, threatening behavior, intimidation, or coercion."

Regulation Violated: 6. Intimate partner violence is defined as: any physical or sexual harm against an individual by a current or former spouse or by a partner in a dating relationship that results from (3) domestic violence;

· Physical abuse, which can include but is not limited to, slapping, pulling hair or punching.

· Threat of abuse, which can include but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.

· Emotional abuse, which can include but is not limited to, damage to one's property, driving recklessly to scare someone, name calling, threatening to hurt one's family members or pets and humiliating another person.

Regulation Violated: 12 "Behavior or activity which endangers the health, safety, or well-being of oneself or others."

You are advised that:

- You have the right to face your accusers, call witnesses in your behalf, cross-examine witnesses, and, in general, present a defense in your behalf;
- Any exculpatory evidence related to the incident(s) coming into possession of the staff of the Office of Student Affairs will be provided to you prior to the hearing;
- By making a written request to the hearing officer, and subject to state and federal statutes governing personal privacy, you may obtain a copy of the incident report(s) on which charges have been based;
- You will not be required to make any response to charges or testify in your own defense. Refusal to respond will not be regarded as evidence of guilt;
- If you do not appear for your hearing, this will not be taken as evidence of guilt. In that event, a plea of "not responsible" will be entered in your behalf, and the hearing will proceed in a normal manner;
- Hearings are closed, but the hearing body may, in its discretion, admit any person to the hearing room.

Willful intent by you to coerce alteration or retraction of information from witnesses associated with these charges will result in further disciplinary action by the University.

A copy of Western Connecticut State University's Student Code of Conduct and Statement of Judicial Procedures is available online for your reference. If you have any questions regarding this document or the charges against you, please do not hesitate to contact me.

Sincerely,

Charles J. Alexander
Director of Judicial Affairs

EXHIBIT E

Subject: FW: Judicial Hearing on 9/9/15

Date: Wednesday, December 2, 2015 at 11:38:59 AM Eastern Standard Time

From: Charles Alexander

To: Fred Cratty

Charles J. Alexander
Director of Judicial Affairs
Western Connecticut State University
Campus Center, suite 320
(203) 837-8770
Fax (203) 837-8870

From: Charles Alexander

Sent: Wednesday, September 16, 2015 9:08 AM

To: Daryle Dennis <dennisd@wcsu.edu>

Cc: Walter Cramer <CramerW@wcsu.edu>

Subject: FW: Judicial Hearing on 9/9/15

FYI on the below. Please know that if anyone didn't have time, it was the victim. He didn't provide a copy of his statement to my office until right before the hearing.

Charles J. Alexander
Director of Judicial Affairs
Western Connecticut State University
Campus Center, suite 320
(203) 837-8770
Fax (203) 837-8870

From: Charles Alexander

Sent: Tuesday, September 08, 2015 5:10 PM

To: Paul Lionetti <lionetti007@connect.wcsu.edu>

Cc: Walter Cramer <CramerW@wcsu.edu>; Ron Mason <MasonR@wcsu.edu>

Subject: Re: Judicial Hearing on 9/9/15

Paul,

As I told your parents on the phone, this is not a court of law. The hearing will still take place tomorrow and there will be no continuance. I made a copy of all reports for you when you requested, but you then withdrew from the university. Please come early tomorrow and I will give you those copies. Please let me know what time you will be arriving.

Sent from my iPhone

On Sep 8, 2015, at 3:57 PM, "Paul Lionetti" <lionetti007@connect.wcsu.edu> wrote:

Mr. Alexander,

My mother just left you a voicemail on my behalf at 3:36pm. There are a few things I'd like to address/request.

I have begun speaking with an attorney and he is requesting the following.

- An extension of time for the hearing based on how short of a time period I've had to prepare.
- All written documents pertaining to the judicial including Ashley's written statement as well as any and all witness statements.

However, if no extension can be granted, we are prepared to be at the meeting tomorrow. I would also like to state that we will be requesting a continuation of this until my attorney has sufficient time to review the requested documentation.

Regards,

Paul Lionetti

EXHIBIT F

I. STUDENT CODE OF CONDUCT

PREAMBLE

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. In line with this purpose, the Board of Regents for Higher Education ("BOR") in conjunction with the Connecticut State Colleges and Universities ("CSCU") has the duty to protect the freedoms of inquiry and expression, and furthermore, has the responsibility to encourage all of its members to develop the capacity for critical judgment in their sustained and independent search for truth.

CSCU has certain self-defined institutional values. Principal among these values is respect for the safety, dignity, rights, and individuality of each member of the CSCU Community. The opportunity to live, study, and work in an institution which values diverse intellectual and cultural perspectives and encourages discussion and debate about competing ideas in an atmosphere of civility is a basic component of quality higher education.

All members of CSCU must at all times govern their social and academic interactions with tolerance and mutual respect so that the students who pass through a CSCU door are enriched by these experiences and are prepared for full and enlightened participation in a multi-cultural society. Because of the BOR's and CSCU's commitment to principles of pluralism, mutual respect, and civility, certain activities are not acceptable on CSCU campuses. Acts of intolerance, of hatred or violence based on race, religion, sexual orientation or expression, disability, gender, age, or ethnic background are antithetical to the BOR's and CSCU's fundamental principles and values. It is the BOR's and CSCU's responsibility to protect our students' right to learn by establishing an environment of civility.

The disciplinary process is intended to be part of the educational mission of CSCU. Student disciplinary proceedings are not criminal proceedings and are not subject to court rules of procedure and evidence.

INTRODUCTION

This Student Code of Conduct (hereinafter the "Student Code" or "Code") is intended to present a clear statement of student rights and responsibilities established by the Board of Regents for Higher Education. The BOR has charged the President of the Board of Regents for Higher Education with developing procedures to protect those rights and to address the abdication of responsibilities in collaboration with the four State Universities, the twelve Community Colleges and Charter Oak State College. The Student Code describes the types of acts that are not acceptable in an academic community.

Disclaimer: This Code is neither a contract nor an offer of a contract between any BOR governed institution and any student. The provisions of this Code are subject to revision at any time.

PART A: DEFINITIONS

The following list of defined terms utilized throughout this Student Code is provided in an effort to facilitate a more thorough understanding of the Code. This list is not intended to be a complete list of all the terms referenced in the Student Code that might require interpretation or clarification. The Vice President for Student Affairs at a University, the Dean of Students at a Community College, the Provost at Charter Oak State College or their designee shall make the final decision of the interpretation of the definition of any term found in the Student Code. For purposes of interpretation and application of the Student Code only, the following terms shall have the following meanings:

1. *"Accused Student"* means any student accused of violating this Student Code.
2. *"Advisor"* means a person who accompanies an Accused Student or an alleged victim to a hearing (or a proceeding pertaining to a report of sexual violence) for the limited purpose of providing advice and guidance to the student. An advisor may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process (or other proceeding pertaining to a report of sexual violence).
3. *"Appellate Body"* means any person or persons authorized by the University Vice President for Student Affairs, Community College Dean of Students, Charter Oak State College Provost or their designee to consider an appeal from a determination by a Hearing Body that a student has violated the Student Code.
4. *"Calendar Days"* means the weekdays (Mondays through Fridays) when the University or College is open.
5. *"College"* means either collectively or singularly any of the following institutions: Asnuntuck Community College, Capital Community College, Gateway Community College, Housatonic Community College, Manchester Community College, Middlesex Community College, Naugatuck Valley Community College, Northwestern Connecticut Community College, Norwalk Community College, Quinebaug Valley Community College, Three Rivers Community College, Tunxis Community College, and Charter Oak State College.
6. *"Complainant(s)"* means the person(s) who initiates a complaint by alleging that a Student(s) violated the Code.
7. *"CSCU"* means either collectively or singularly, any of the following institutions: Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, Western Connecticut State University; Asnuntuck Community College, Capital Community College, Gateway Community College, Housatonic Community College, Manchester Community College, Middlesex Community College, Naugatuck Valley Community College, Northwestern Connecticut Community College, Norwalk Community College, Quinebaug Valley Community College, Three Rivers Community College, Tunxis Community College, and Charter Oak State College.

8. *"CSCU Affiliates"* means individuals and/or entities with whom or with which the College or University has a contractual relationship.
9. *"CSCU Official"* means any person employed by the College or University to perform assigned administrative, instructional, or professional responsibilities.
10. *"CSCU Premises"* means all land, buildings, facilities, and other property in the possession of, or owned, used, and/or controlled by, the University or College, either solely or in conjunction with another entity.
11. *"Disciplinary Officer" or "Conduct Administrator"* means a University, College or CSCU official who is authorized to determine the appropriate resolution of an alleged violation of the Code, and/or to impose sanctions or affect other remedies as appropriate. Subject to the provisions of this Code, a disciplinary officer or conduct administrator is vested with the authority to, among other duties: investigate a complaint of an alleged violation of the Code decline to pursue a complaint, refer identified disputants to mediation or other appropriate avenues of resolution, establish charges against a student, enter into an administrative agreement developed with an Accused Student in accordance with Section II-B-3 of this Code, advise a Hearing Body, and present the case before the Hearing Body.
12. *"Hearing Body" or "Hearing Panel"* means any person or persons authorized by the University Vice President for Student Affairs, Community College Dean of Students or Charter Oak State College Provost to determine whether a student has violated the Code and to impose sanctions as warranted, including a hearing officer or hearing board.
13. *"Institution"* means the University or College within CSCU.
14. *"Instructor"* means any faculty member, teaching assistant or any other person authorized by the University to provide educational services, including, but not limited to, teaching, research, and academic advising.
15. *"Member of the CSCU Community"* means any person who is a student, an official or any other person who works for CSCU, either directly or indirectly (e.g., for a private enterprise doing business on a CSCU campus).
16. *"Policy"* means the written regulations, standards, and student conduct expectations adopted by the BOR and found in, but not limited to the Student Handbook, the Residence Life Handbook, the housing contract, the graduate and undergraduate catalogs, and other publicized University and College notices.
17. *"Prohibited Conduct"* means the conduct prohibited by this Code, as more particularly described in Part I-D of this Code.

18. *"Reporting Party"* means any person who alleges that a student has violated this Code.
19. *"Student"* means either (1) any person admitted, registered, enrolled or attending any CSCU course or CSCU conducted program, whether full-time or part-time, and whether pursuing undergraduate, graduate or professional studies, or continuing education; (2) any person who is not officially enrolled for a particular term but who has a continuing relationship with a CSCU; or (3) any person within two calendar years after the conclusion of their last registered Community College course unless the student has formally withdrawn, graduated or been expelled from the College.
20. *"Student Code" or "Code"* means this Student Code of Conduct.
21. *"Student Organization"* means an association or group of persons that have complied with the formal requirements for University or College recognition.
22. *"Support Person"* means a person, who accompanies an Accused Student, a Reporting Party or a victim to a hearing for the limited purpose of providing support and guidance. A support person may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process.
23. *"University"* means any of the following institutions: Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, and Western Connecticut State University, whichever the alleged violation of the Code occurred.
24. *"Shall" and "will"* are used in the imperative sense.
25. *"May"* is used in the permissive sense.

PART B: APPLICATION, DISTRIBUTION, AND ADMINISTRATION OF THE STUDENT CODE OF CONDUCT

1. Application of the Student Code: The Student Code shall apply to the four Connecticut State Universities, the twelve Community Colleges, and the on-line college: Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, Western Connecticut State University; Asnuntuck Community College, Capital Community College, Gateway Community College, Housatonic Community College, Manchester Community College, Middlesex Community College, Naugatuck Valley Community College, Northwestern Connecticut Community College, Norwalk Community College, Quinebaug Valley Community College, Three Rivers Community College, Tunxis Community College, and Charter Oak State College.

An alleged violation of the Student Code shall be addressed in accordance with the Code of Conduct, even if the accused Student has withdrawn from the Institution prior to the completion of the disciplinary procedures.

The Student Code shall apply to Students and to University Student Organizations. The term "student" shall generally apply to the student as an individual and to a Student Organization as a single entity. The officers or leaders of a particular Student Organization usually will be expected to represent the organization during the disciplinary process. Nothing in this Student Code shall preclude holding certain members of a Student Organization accountable for their individual acts committed in the context of or in association with the organization's alleged violation of this Code.

2. Distribution of the Student Code: The Student Code shall be made readily available electronically and/or in a printed publication to students, faculty and staff. The office responsible for Student Affairs will annually distribute and make available to students, faculty and staff, electronically and/or in a printed publication, any revisions to the Code.

3. Administration of the Student Code: A University's and Charter Oak State College's Provost or a Community College's Dean of Students shall be the person designated by the institution President to be responsible for the administration of the Academic Misconduct portion of the Student Code. A University's Vice President for Student Affairs, a Community College's Dean of Students, or Charter Oak State College's Provost shall be the person designated by the institution President to be responsible for the administration of the Non-Academic Misconduct portion of the Student Code.

PART C: SCOPE OF AUTHORITY

A Student who is found responsible for engaging in conduct that violates the Student Code on any CSCU campus or on property controlled by the BOR or by any CSCU Affiliate or any CSCU sponsored function or event shall be subject to the sanctions described in this Code. The Student Code of Conduct also applies to online activities, where applicable. Students who attempt to engage in conduct that violates this Code, who knowingly encourage, aid or assist another person in engaging in such conduct, or who agree with another person, explicitly or otherwise, to engage in such conduct, may also be subject to disciplinary action.

Off-campus misconduct by University students may be subject to the jurisdiction of the University and addressed through its disciplinary procedures if one of the following conditions is met: (i) a Student engages in prohibited conduct at an official University event, at a University-sanctioned event, or at an event sponsored by a recognized University Student Organization; or (ii) a Student engages in prohibited conduct under such circumstances that reasonable grounds exist for believing that the Accused Student poses a threat to the life, health or safety of any member of the CSCU or to the property of the CSCU.

Community College students conduct is subject to the Code on campus and off-campus whenever such conduct impairs College-related activities or affairs of another member of the College community or creates a risk of harm to a member or members of the College community. Students must be aware that, as citizens, they are subject to all federal and state laws in addition to all CSCU

regulations governing student conduct and responsibilities. Students do not relinquish their rights nor do they shed their responsibilities as citizens by becoming members of the CSCU Community. However, where a court of law has found a student to have violated the law, an institution has the right to impose the sanctions of this Code even though the conduct does not impair institution-related activities of another member of the university or college community and does not create a risk of harm to the college or university community. The decision to exercise this right will be in the sole discretion of the President of the impacted institution or his/her designee.

Charter Oak State College applies this Code to matriculated and non-matriculated students, including those participating in portfolio assessment, credential evaluation, testing, or contract learning. Jurisdiction shall be limited to student conduct that occurs while students are taking Charter Oak State College courses or availing themselves of Charter Oak State College services. However, if a matriculated Charter Oak State College student is found guilty of student misconduct at another institution, including but not limited to misrepresentation of records from other institutions, the student may be subject to disciplinary action at Charter Oak State College.

PART D: PROHIBITED CONDUCT

The following list of behaviors is intended to represent the types of acts that constitute violations of this Code.

1. Academic misconduct, which includes, but is not limited to, plagiarism and all forms of cheating.

Plagiarism is defined as the submission of work by a student for academic credit as one's own work of authorship which contains work of another author without appropriate attribution.

Cheating includes, but is not limited to: (i) use of any unauthorized assistance in taking quizzes, tests or examinations; (ii) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems or carrying out other assignments; (iii) the acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff; and (iv) engaging in any other behavior specifically prohibited by a faculty member in the course syllabus.

2. Acts of dishonesty, including but not limited to the following:

- a. Misuse of University or College documents, including, but not limited to forging, transferring, altering or otherwise misusing a student fee card, student payroll card, identification card or other College or University identification document, course registration document, schedule card, transcript, or any other institution-issued document or record.
- b. Knowingly furnishing false information to any CSCU Official, faculty member or office.

3. Theft of property or services, or damage to, defacement or destruction of, or tampering with, real or personal property owned by the State of Connecticut, CSCU/BOR, the institution, or any member of the CSCU Community.
4. Actual or threatened physical assault or abuse, threatening behavior, intimidation, or coercion.
5. Sexual misconduct may include engaging in one of more behaviors:
 - (a) **Sexual harassment**, which can include any unwelcome sexual advance or request for sexual favors, or any conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education; submission to or rejection of such conduct by an individual is used as a basis for academic decisions affecting the individual; or such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creating an intimidating, hostile or offensive educational environment. Examples of conduct which may constitute sexual harassment include but are not limited to:
 - sexual flirtation, touching, advances or propositions
 - verbal abuse of a sexual nature
 - pressure to engage in sexual activity
 - graphic or suggestive comments about an individual's dress or appearance
 - use of sexually degrading words to describe an individual
 - display of sexually suggestive objects, pictures or photographs
 - sexual jokes
 - stereotypic comments based upon gender
 - threats, demands or suggestions that retention of one's educational status is contingent upon toleration of or acquiescence in sexual advances.

(b) **Sexual assault** shall include but is not limited to a sexual act directed against another person when that person is not capable of giving consent, which shall mean the voluntary agreement by a person in the possession and exercise of sufficient mental capacity to make a deliberate choice to do something proposed by another.

A person who initially consents to sexual activity shall be deemed not to have consented to any such activity which occurs after that consent is withdrawn. Consent cannot be assumed because there is no physical resistance or other negative response. A lack of consent may result from mental incapacity (e.g., ingestion of alcohol or drugs which significantly impair awareness or judgment) or physical incapacity (e.g., the person is unconscious or otherwise unable to communicate consent).

Sexual assault is further defined in sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b and 53a-73a of the Connecticut General Statutes.

(c) **Sexual exploitation** occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
- Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
- Going beyond the bounds of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Engaging in non-consensual voyeurism;
- Knowingly transmitting an STI, such as HIV to another without disclosing your STI status;
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose his or her genitals; or
- Possessing, distributing, viewing or forcing others to view illegal pornography.

6. Intimate partner violence is defined as:

- Including intimate partner violence, which is any physical or sexual harm against an individual by a current or former spouse or by a partner in a dating relationship that results from (1) sexual assault, as defined in section 5 above; (2) sexual assault in a spousal or cohabiting relationship; (3) domestic violence; (4) sexual harassment, as defined in section 5 above or, (5) sexual exploitation, as defined in section 5 above.
- Physical abuse, which can include but is not limited to, slapping, pulling hair or punching.
- Threat of abuse, which can include but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.
- Emotional abuse, which can include but is not limited to, damage to one's property, driving recklessly to scare someone, name calling, threatening to hurt one's family members or pets and humiliating another person.

7. Violations of privacy, including, but not limited to, voyeurism and the use of web-based, electronic or other devices to make a photographic, audio or video record of any person without his or her express consent, when such a recording is intended or likely to cause injury or distress. This includes, but is not limited to: (i) surreptitiously taking pictures or videos of another person in spaces such as sleeping areas, bathrooms, gymnasiums, locker rooms, and changing areas; and (ii) sexually exploiting another person by electronically recording or permitting others to view or electronically record, consensual sexual activity without a partner's knowledge or permitting others to view or listen to such video or audio tapes without a partner's knowledge and consent. Publicizing or threatening to publicize such records will also be considered a violation of this Code.

8. Hazing, which is defined as an act which endangers the mental or physical health or safety of a Student, or which destroys, damages, or removes public or private property for the purpose of initiation or admission into, affiliation with or as a condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense to an allegation of hazing. Consenting to the activity by

remaining silent or not objecting in the presence of hazing is not a neutral act and is also a violation of this Student Code.

9. Stalking, which is defined as repeatedly contacting another person when:
 - a. The contacting person knows or should know that the contact is unwanted by the other person; and
 - b. The contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

As used in this definition, the term "contacting" includes, but is not limited to, communicating with (including internet communication via e-mail, instant message, on-line community or any other internet communication) or remaining in the physical presence of the other person.

10. Harassment, which is defined as conduct which is abusive or which interferes with a person's pursuit of his or her customary or usual affairs, including, but not limited to, such conduct when directed toward an individual or group because of race, ethnicity, ancestry, national origin, religion, gender, sexual orientation or expression, age, physical attribute, or physical or mental disability or disorder, including learning disabilities and mental retardation.
11. Conduct that is disorderly, lewd or indecent (including, but not limited to, public nudity and sexual activity in areas generally open to members of the campus community), breach of peace or aiding, abetting or procuring another person to breach the peace on CSCU premises or at functions sponsored by, or affiliated with the University or College.
12. Behavior or activity which endangers the health, safety, or well-being of oneself or others.
13. Offensive or disorderly conduct which causes interference, annoyance or alarm or recklessly creates a risk thereof at CSCU or CSCU premises, CSCU web or social media sites, at a CSCU-sponsored activity or in college or university courses, including cyber bullying. This offense does not apply to speech or other forms of constitutionally protected expression.
14. Unauthorized possession, duplication or use of keys (including, but not limited to, card access, card keys, fobs, etc.) to any CSCU premises or forcible and/or unauthorized entry on or into CSCU premises.
15. Starting fires, causing explosions, falsely reporting the presence of fire, bombs, incendiary or explosive devices, or falsely reporting an emergency.
16. Unauthorized or improper possession, use, removal, tampering or disabling of fire and/or safety equipment and warning devices, failure to follow standard fire and/or emergency

safety procedures, or interference with firefighting or emergency response equipment or personnel.

17. Use, possession, purchase, sale or distribution of alcoholic beverages, except as expressly permitted by law and CSCU regulations. Alcoholic beverages may not, under any circumstances, be used by, possessed by, or distributed to any person under twenty-one (21) years of age.
18. Use, possession, purchase, sale, distribution or manufacturing of narcotics, controlled substances and/or drugs, including, but not limited to, marijuana and heroin, or drug paraphernalia, except as expressly permitted by law.
19. Use, possession or distribution of firearms, ammunition for firearms, other weapons or dangerous instruments, facsimiles of weapons or firearms, fireworks, explosives or dangerous chemicals. A dangerous instrument is any instrument, article or substance that, under the circumstances in which it is being utilized, is capable of causing death or serious physical injury. The possession of a deadly weapon or dangerous instrument on campus is strictly prohibited, even if such item is legally owned.
20. Gambling, including, but not limited to, promoting, wagering, receiving monies for wagering or gambling for money or property on CSCU premises.
21. Disruption or obstruction of any College or University function, activity or event, whether it occurs on or off the campus, or of any non-University or College function, activity or event which is authorized by the institution to occur on its premises.
22. Intentional obstruction of the free flow of pedestrian or vehicular traffic on CSCU premises or at University or College-sponsored or supervised functions or interference with entry into or exit from CSCU premises or with the free movement of any person.
23. Failure to comply with the directions of CSCU officials or law enforcement officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
24. Conduct that violates published BOR/CSCU policies, rules, and regulations, including, but not limited to, residence hall rules and regulations.
25. Conduct prohibited by any federal, state, and/or local law, regulation or ordinance.
26. Unauthorized use of CSCU property or the property of members of the CSCU Community or of CSCU Affiliates.
27. Theft, unauthorized use, or abuse of University or College computers and/or peripheral systems and networks, including, but not limited to:
 - a. Unauthorized access to CSCU computer programs or files;

- b. Unauthorized alteration, transfer or duplication of CSCU computer programs or files;
 - c. Unauthorized use of another individual's identification and/or password;
 - d. Deliberate disruption of the operation of CSCU computer systems and networks;
 - e. Use of the Institution's computing facilities and resources in violation of copyright laws (including unauthorized peer-to-peer file sharing of copyrighted material, including, but not limited to, copyrighted music, movies, and software);
 - f. Use of computing facilities and resources to send obscene messages (which are defined as messages which appeal mainly to a prurient, shameful or morbid interest in nudity, sex, excretion, sadism or masochism, go well beyond customary limits of candor in describing or representing such matters, and are utterly without redeeming social value); and
 - g. Violation of the BOR Policy Statement on Acceptable and responsible use of Information Technology resources and/or any applicable BOR computer use policy.
28. Abuse of the CSCU conduct and disciplinary system, including but not limited to:
- a. Failure to obey the notice from a Hearing Body or CSCU Official to appear for a meeting or hearing as part of the Student Conduct system;
 - b. Falsification, distortion, or intentional misrepresentation of information to a Disciplinary Officer or Conduct Administrator, or before a Hearing Body;
 - c. Initiation of a conduct or disciplinary proceeding knowingly without cause;
 - d. Disruption or interference with the orderly conduct of a disciplinary proceeding;
 - e. Attempting to discourage an individual's proper participation in, or use of, the disciplinary system;
 - f. Attempting to influence the impartiality of a Disciplinary Officer, Conduct Administrator or member of a Hearing Body prior to, and/or during the course of, the disciplinary proceeding;
 - g. Harassment (verbal or physical) and/or intimidation of a Disciplinary Officer, Conduct Administrator, or member of a Hearing Body prior to, and/or during the course of the disciplinary proceeding;
 - h. Failure to comply with the sanction(s) imposed under the Student Code; and
 - i. Influencing or attempting to influence another person to commit an abuse of the disciplinary system.

PART E: HEARING PROCEDURES FOR SEXUAL MISCONDUCT, SEXUAL INTIMATE PARTNER, DOMESTIC VIOLENCE & STALKING REPORTS

In addition to disciplinary procedures applicable to State University students in Section II, Community College students in Section III, or Charter Oak State College Students in Section IV, for any hearing conducted involving allegations of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, stalking and intimate partner violence the reported victim and the accused student shall each have the following rights::

1. At any meeting or proceeding, both the reported victim and accused student may be accompanied by an advisor or support person of the student's choice provided the advisor or support person does not cause a scheduled meeting or hearing to be delayed or postponed and provided an advisor or support person may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process (or other proceeding or pertaining to a report of sexual misconduct);
2. The reported victim of sexual misconduct is entitled to request that disciplinary proceedings begin promptly;
3. Any hearing regarding an accusation of sexual misconduct shall (i) be fair, prompt and impartial; (ii) be conducted by a Hearing Body annually trained in issues relating to sexual misconduct (iii) use the preponderance of evidence (more likely than not) standard; (iv) shall allow both the accused student and reported victim the opportunity to present evidence and witnesses on their behalf during any disciplinary proceeding; and (v) shall provide both the accused student and the reported victim with equal access to any information that will be used during meetings and hearings.
4. In accordance with the Family Educational Rights and Privacy Act (FERPA), the accused student and the reported victim have the right to keep their identities confidential;
5. Any reported victim shall be provided written notice of the decision of the Hearing Body at the same time as the accused student, normally within one (1) business day after the conclusion of the Hearing. In accordance with the Family Educational Rights and Privacy Act (FERPA) the notice to any reported victim of sexual misconduct shall contain only the following: the name of the accused student, the violation committed, if any, and any sanction imposed against the accused student.
6. The reported victim shall have the same right to request a review of the decision of the Hearing Body (appeal rights) in the same manner and on the same basis as shall the accused student; however, if a request for review by a reported victim is determined to be properly made and if the review determines there is sufficient grounds for altering the decision of the Hearing Body, among the other actions that may be taken as set forth above, the sanction of the hearing may also be increased. Notwithstanding the foregoing, in any hearing pertaining to sexual misconduct both the reported victim and the accused student are entitled to be simultaneously provided notice of any change in the results of the hearing prior to the time when the results become final as well as to be notified when such results become final.

PART F: CONDUCT AND DISCIPLINARY RECORDS

The written decision resulting from an administrative conference or a hearing under this Code shall become part of the student's educational record and shall be subject to the provisions of the Family Educational Rights and Privacy Act (FERPA). A student's disciplinary record shall be maintained separately from any other academic or official file maintained by the Institution. Disciplinary records will be maintained for a period of five (5) years from the date of the incident, except that the sanction of expulsion shall be noted permanently.

While student education records are generally protected from disclosure by FERPA, there are a number of exceptions to this rule. Students should be aware that a record concerning his/her behavior while a student at the College or University may be shared with other colleges or universities to which the student may subsequently wish to transfer or be admitted. Similarly, prospective employers may require a student to provide access to his/her education records as part of the employment application process. A record of having been sanctioned for conduct that violates Section I.D. of the Code may disqualify a student for admission to another college or university, and may interfere with his/her selection for employment.

PART G: INTERPRETATION AND REVISION

Questions regarding the interpretation of this Code shall be referred to the University's and Charter Oak State College's Provost or a Community College's Dean of Students or their designees for the administration of the Non-Academic Misconduct portion of the Student Code and to the University's Vice President for Student Affairs, a Community College's Dean of Academic Affairs or Charter Oak State College's Provost or their designees for the administration of the Academic Misconduct portion of the Student Code.

This Code shall be reviewed and revised, if and as necessary, every five (5) years, or as directed by the President of the Board of Regents for Higher Education.

II. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO STATE UNIVERSITY STUDENTS

Procedures for University students differ from those procedures applicable to either the Community Colleges or Charter Oak State College. This is due to the environmental, cultural, and administrative differences within the types of the institutions comprising CSCU. Procedures for addressing allegations and sanctions regarding academic misconduct (as defined in Section I.D.1) for University Students as set for in this Section II of the Code.

PART A: DISCIPLINARY PROCEDURES - ACADEMIC MISCONDUCT

1. Instructor's Role:
When the instructor of record or his or her designee believes that an act of academic misconduct has occurred, he or she shall notify the student of the allegation and save any evidence of such misconduct in its original form. (Copies of the Accused Student's work will be provided to the Student upon request.) In addition, the instructor shall not transmit a final grade to the Registrar until such time as the allegation(s) of academic misconduct are finally determined. Each institution shall establish implementation guidelines in accordance with this Code.
2. Information from Person Other than Student's Instructor: Any member of the CSCU Community may provide information which might lead to a complaint against a Student alleging academic misconduct.
3. The Academic Misconduct Hearing Board: There shall be an academic misconduct hearing board convened by the University's Disciplinary Officer to consider allegations of academic misconduct lodged against a Student. The University's disciplinary officer shall be a non-voting member of the board and act as convener.
4. Hearing Process: The Accused Student shall be afforded adequate notice of the allegation, an opportunity to discuss the allegation with the instructor, and adequate time to request and prepare for a hearing. All parties shall have an opportunity to be heard and a record of the proceedings shall be made. The decision of a hearing board shall be communicated in writing.
5. Sanctions: If the academic misconduct hearing board determines that the Accused Student is "Not Responsible," the board shall not impose any sanctions. The board shall so advise the Student's instructor and the instructor shall reevaluate the student's course grade in light of the Board's determination. If the academic misconduct hearing board determines that the Accused Student is "Responsible," the academic sanction set forth in the instructor's course syllabus shall be imposed.

The academic misconduct hearing board may make a recommendation to change the academic sanction imposed by the instructor on the basis of its hearing of the evidence of academic misconduct. (Should the academic sanction not be changed pursuant to this recommendation, the University reserve the right to change the academic sanction.)

Upon consideration of the Accused Student's record of misconduct and/or the nature of the offense, the academic misconduct hearing board may impose additional non-academic sanctions in proportion to the severity of the misconduct. These sanctions may include the following: warning, written reprimand, discretionary sanctions, suspension and/or expulsion, as described in II.D of this Student Code of Conduct.

6. Appeals: The decision rendered by the academic misconduct hearing board may be appealed to the Provost/Academic Vice President, who shall review the record of the hearing, including any and all documents presented to the academic misconduct hearing board. An appeal shall be in writing and shall be delivered to the Provost/Academic Vice President within three (3) calendar days of receipt of the academic misconduct hearing board's written decision.

An appeal may be brought on any of four grounds: (a) a claim that error in the hearing procedure substantially affected the decision; (b) a claim that new evidence or information material to the case was not known at the time of the hearing; (c) a claim that the non-academic sanction(s) imposed were not appropriate for the violation of the Code for which the accused student was found responsible; and/or (d) a claim that the academic sanction imposed has resulted in a palpable injustice. The Provost/Academic Vice President shall have the right to deny an appeal not brought on any of the foregoing grounds. The decision rendered by the Provost/Academic Vice President shall be final and there shall be no further right of appeal.

PART B: DISCIPLINARY PROCEDURES - NONACADEMIC MISCONDUCT

The following procedures shall be followed in addressing allegations of non-academic misconduct.

1. Providing Information leading to a Complaint: Any person may provide information leading to the filing of a complaint against a Student or a Student Organization alleging a violation of the Student Code. A complaint must be made in writing and submitted to the University's Disciplinary Officer or Conduct Administrator.
2. Disciplinary Proceedings Against a Student Charged with a Violation of Law and a Violation of the Code: University proceedings may be instituted against an Accused Student who has been charged with a violation of state or federal law for conduct which also constitutes a potential violation of this Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following the institution of civil or criminal court proceedings against the Accused Student. Determinations made or sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

3. Disciplinary Proceedings Against a Student Charged with Sexual Assault, Sexual Intimate Partner, Domestic Violence or Other Sex Related Offense: See Section I.E
4. Pre-Hearing Investigation and Administrative Disposition:
 - a. The Disciplinary Officer or Conduct Administrator may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the Accused Student and the Disciplinary Officer or Conduct Administrator. Such disposition shall be final and there shall be no subsequent proceedings. If the charges are not admitted and/or cannot be disposed of by mutual consent, the Disciplinary Officer or Conduct Administrator may also present the case for the University at any subsequent hearing, but if he or she does, he or she shall not serve as a member of the Hearing Body.
 - b. The Disciplinary Officer or Conduct Administrator may conduct an investigation to determine if there is reason to believe the student has committed a violation of any part of Section I.D. of the Code and, after considering both the possible violation and the prior conduct record of the student, if the Disciplinary Officer or Conduct Administrator determines that a sanction of less than residential hall separation or suspension or expulsion from the University is appropriate, the Disciplinary Officer or Conduct Administrator shall schedule an administrative conference with the student. The student shall be given reasonable notice of the time and place of the conference. At the administrative conference, the student shall have the opportunity to present information for the Disciplinary Officer's or Conduct Administrator's consideration. At the conclusion of the administrative conference, the Disciplinary Officer or Conduct Administrator shall determine whether it is more likely than not that the student has violated the Policy and, if so, impose a sanction less than residential hall separation, or suspension or expulsion from the University. The Disciplinary Officer or Conduct Administrator shall provide the student with a written explanation for the determination. The decision of the Disciplinary Officer or Conduct Administrator shall be final.
5. Hearing Bodies: A Student accused of misconduct has the right to be heard by an impartial Hearing Body. Any concern surrounding the impartiality of the Hearing Body or any member thereof will be referred to the Vice President for Student Affairs or his or her designee, who will review the matter and make a determination. Any Hearing regarding an accusation of sexual assault, sexual misconduct, intimate partner, domestic violence or other sex related offense or intimate partner violence shall be conducted by an impartial Hearing Body trained in issues relating to sexual assault, sexual violence, intimate partner, and domestic violence.
6. Hearing Procedures:
 - a. Notice of Hearing: Normally, a hearing will be conducted within ten (10) calendar days of the Accused Student being notified of the charges. Notice may be provided to the Accused Student by in-hand delivery, by registered mail, with delivery receipt attached or by certified mail, return receipt requested by University email or by overnight delivery with signature of recipient required.

Should the Accused Student refuse to accept in-hand delivery, a written statement of the attempted delivery of the notice signed by the person attempting to make such delivery shall constitute notice. Should the Accused Student refuse to sign for registered or certified mail, the postal document indicating such refusal shall constitute notice.

The notice shall advise the Accused Student of each section of the Student Code alleged to have been violated and, with respect to each such section, a statement of the acts or omissions which are alleged to constitute a violation of the Code, including the approximate time when and the place where such acts or omissions allegedly occurred.

The Accused Student shall be afforded a reasonable period of time to prepare for the hearing, which period of time shall not be less than three (3) Calendar Days. The Accused Student, the Reporting Party and/or any alleged victim may request a delay of the hearing due to extenuating circumstances. Any decision to postpone the hearing shall be made by the Disciplinary Officer or Conduct Administrator or by the Hearing Body, or by the designee of the Vice President for Student Affairs.

- b. Hearing: Hearings shall be closed, but the Hearing Body may, in its discretion, admit any person into the hearing room. The Hearing Body shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.

The Accused Student, the Reporting Party and any alleged victim shall have the right to be present at all stages of the hearing process except during the private deliberations of the Hearing Body and the presentation of sanctions. In hearings involving more than one Accused Student, the Hearing Body may determine that, in the interest of fairness, separate hearings should be convened.

In any Hearing alleging sexual assault, sexual, intimate partner, domestic violence or other sex related offense, any alleged victim and the Accused Student are entitled to:

- 1) be accompanied to any meeting or proceeding by an advisor or support person of their choice, provided that the advisor or support person does not cause a scheduled meeting to be delayed or postponed;
- 2) present evidence and witnesses on their behalf;
- 3) in accordance with the Family Educational Rights and Privacy Act (FERPA), to have their identities kept confidential.

In addition, the alleged victim of sexual assault, sexual, intimate partner, domestic violence or other sex related offense is entitled to request that disciplinary proceedings begin promptly.

- c. Record of Hearing: When expulsion or suspension from the University or residence hall separation is a possibility, the University shall make a recording of

the hearing. The recording shall be the property of the University. No other recordings shall be made by any person during the hearing. Upon request, the Accused Student may review the recording in a designated University office in order to prepare for an appeal of the decision rendered by the Hearing Body. Further disclosure of the recording shall be governed by applicable state and federal law.

- d. Opportunity to Present a Defense: The Accused Student shall have the full opportunity to present a defense and information, including the testimony of witnesses, in his or her behalf. The Reporting Party and the Accused Student may question the statements of any person who testifies in a manner deemed appropriate by the Hearing Body. The Reporting Party and the Accused Student may make concluding statements regarding the charges made and the information presented during the hearing. The Hearing Body may question the Accused Student and the Reporting Party, any witness presented by the Accused Student or the Reporting Party, and any other witness(es) the Hearing Body may choose to call to testify.
- e. Accused Student Can Choose Whether or Not to Testify in His or Her Own Defense: The Accused Student who is present at the hearing shall be advised by the Hearing Body that he or she is not required to testify, to answer questions, or to make any statement regarding the complaint or the allegations set forth in the complaint. Refusal to do so shall not be considered by the Hearing Body to constitute evidence of responsibility.
- f. Non-Appearance of Accused Student at Disciplinary Hearing: If an Accused Student does not appear at a disciplinary hearing, the Hearing Body shall enter a plea of "not responsible" on behalf of such student and the hearing shall proceed in the normal manner of hearing evidence, weighing facts, and rendering judgment. The failure of an Accused Student to appear at the disciplinary hearing shall not be considered by the Hearing Body to constitute evidence of responsibility.
- g. Advisors and Support Persons: The Reporting Party, any alleged victim, and the Accused Student shall each have the right to be accompanied by an Advisor and Support Person. The Advisor and the Support Person should be someone whose schedule allows attendance at the scheduled date and time for the disciplinary hearing because delays will not normally be allowed due to the scheduling conflicts of an Advisor or Support Person.
- h. Presentation of Evidence: Only evidence introduced at the hearing itself may be considered by the Hearing Body in determining whether it is more likely than not that the alleged violation was committed by the accused student.
- i. Evidence of Prior Convictions or Disciplinary Actions: Evidence of prior criminal convictions or University disciplinary actions may be presented to the Hearing Body only after a determination of responsibility has been made and only for consideration in connection with determining the sanction.

- j. Accommodation of Witnesses: The Hearing Body may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Reporting Party, the Accused Student, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Hearing Body to be appropriate.
- k. Written Notice of Decision: The Accused Student shall receive written notice of the decision of the Hearing Body that shall set forth the decision rendered, including a finding of "responsible" or "not responsible," and the sanctions imposed, if any. The decision of the Hearing Body, as well as the sanction(s) imposed, if any, generally will not be released to third parties without the prior written consent of the Accused Student. However, certain information may be released if and to the extent authorized by state or federal law.

With respect to Hearings alleging sexual assault, sexual, intimate partner, domestic violence or other sex related offense, any alleged victim shall receive written notice of the decision of the Hearing Body at the same time as the Accused Student, normally within one (1) business day after the conclusion of the Hearing.

In accordance with the Family Educational Rights and Privacy Act (FERPA) the notice to any alleged victim of sexual assault, sexual, intimate partner, domestic violence or other sex related offense shall contain only the following: the name of the student, the violation committed and any sanction imposed against the student.

- 6. Review: An Accused Student may request that the decision of the Hearing Body be reviewed by the Vice President for Student Affairs or his or her designee. A request for review must be made in writing to the Vice President for Student Affairs or his or her designee within three (3) Calendar Days of the Accused Student's receipt of the written notice of decision. For good cause shown, the Vice President for Student Affairs may extend the three-University Calendar Day limitation on filing a request for a review. An Accused Student may request only one review of each decision rendered by the Hearing Body. A decision reached as a result of an Administrative Disposition may not be reviewed.
 - a. Grounds for Review: The Accused Student has the right to request a review of the decision of the Hearing Body on the grounds that: (i) the procedures set forth in this Code were not followed and, as a result, the decision was substantially affected; (ii) the sanction(s) imposed were not appropriate for the violation of the Code for which the Accused Student was found responsible; and/or (iii) new information, sufficient to alter the decision, or other relevant facts were not brought out in the original hearing because such information and/or facts were not known to the Accused Student at the time of the original hearing. The review shall be limited to a review of the record except as required to explain the basis of new information.

- b. Review Procedures: In order to prepare for the review, the Accused Student may review the recording of the original hearing in a designated University office but will not be permitted to remove the recording from that office or make copies. The review will not be heard by anyone involved in the initial hearing. The review shall be considered and a decision rendered within ten (10) Calendar Days of the filing of the request for review.

If a request for review is granted, the matter shall be referred to the original Hearing Body for reconsideration of its original determination or to a newly-constituted Hearing Body for a new hearing, or the sanction imposed may be reduced, as appropriate. If a request is not granted, the matter shall be considered final and binding upon all involved.

- c. Status of Student Pending Review: All sanctions imposed by the Hearing Body shall be and continue in effect pending the outcome of a review. Any request to delay the commencement of sanctions pending a review must be made by the Accused Student, in writing, to the Vice President for Student Affairs or his or her designee.
- d. With respect only to Hearings related to sexual assault, sexual, intimate partner, domestic violence or other sex offense, the alleged victim shall have the same right to request a review in the same manner and on the same basis as shall the Accused Student as set forth above; however, in such cases, if a review by any alleged victim is granted, among the other actions that may be taken as set forth above, the sanction of the Hearing may also be increased.

Upon review, if the decision or sanction of the disciplinary proceeding is changed, any alleged victim must be notified in writing of the change in decision or sanction at the same time that the Accused Student is notified.

PART C: INTERIM SUSPENSIONS AND RESIDENCE HALL SEPARATIONS

In certain circumstances, the Vice President for Student Affairs, or his or her designee, may impose an interim suspension or residence hall separation on an Accused Student prior to the hearing before the Hearing Body.

1. Basis for Imposition of Interim Suspension or Residence Hall Separation: An interim suspension may be imposed upon an Accused Student only: (i) to ensure the safety and well-being of members of the University Community or preservation of University property; (ii) to ensure the Student's own physical or emotional safety and well-being; or (iii) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.

A residence hall separation may be imposed if a Student's continued presence will disrupt the academic and social well-being of the residential community. Residence hall separation is the removal of a student from the University residence hall in which he or

she resides. Such separation may include a restriction of access to all or designate University residence halls. During the period of the separation, the removed Student shall not be permitted to enter the designated hall(s) as a guest of another resident.

An interim suspension or residence hall separation is not a sanction and will continue in effect only until such time as a hearing on the alleged violation has been completed.

2. Effect of Interim Suspension or Residence Hall Separation: During the interim suspension or residence hall separation, the removed Student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the Student might otherwise be eligible, as the Vice President for Student Affairs, or his or her designee, may determine to be appropriate.
3. Procedure: The Accused Student shall be notified, either orally or in writing, of the pending imposition of an interim suspension or residence hall separation. Whenever possible prior to the imposition of the interim suspension or suspension, the affected Student will be afforded an opportunity to meet with the Vice President for Student Affairs, or his or her designee. Otherwise, the meeting will be held on the first Calendar Day that the Student is available.

At that meeting, the Accused Student will be advised of his/her reported behavior and be offered the opportunity to provide information upon which the determination may be based whether or not the Student engaged in conduct warranting an interim suspension or residence hall separation.

Any Student placed on an interim suspension will be given an opportunity to appear at an administrative conference or a formal hearing on the misconduct charges lodged against him or her in accordance with II.B.5 of this Code within ten (10) Calendar Days of being placed on such suspension, or as soon as practical after the Accused Student is prepared to participate in such a hearing.

PART D: DISCIPLINARY SANCTIONS

Sanctions which may be imposed for violations of the Student Code are listed below. In determining appropriate sanctions, the Hearing Body may take into consideration any and all prior violations of the Code for which the Accused Student was determined to be responsible. The Hearing Body shall have the authority to defer the imposition of any sanction when deemed appropriate. The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code, including the completion of all sanctions imposed, if any.

1. Sanctions Which May Be Imposed for Violations of the Code: The following sanctions may be imposed, individually or in various combinations, on any student found to have violated the Student Code, and will be entered into the Student's disciplinary records. Notation of disciplinary sanctions shall be on file only in the appropriate office in the Division of Student Affairs and shall not be released without the written

consent of the Student except to appropriate University enforcement personnel, University police, staff and administrators, or as required by law.

- a. Warning: A disciplinary warning is a written notice to a Student advising him or her that specific behavior or activity constitutes a violation of the Code and that the repetition of such behavior will likely result in the commencement of more serious disciplinary action by the University.
- b. Fine: A sanction involving the imposition of a specified dollar amount due and payable by a specified date.
- c. Probation: Disciplinary probation is a designated period of time during which a Student is given the opportunity to modify unacceptable behavior and/or to complete specific assignments in an effort to regain full student privileges within University Community. Disciplinary probation may involve the imposition of certain restrictions and/or conditions upon the Student including, but not limited to, financial restitution, community service, fines, referral for professional services such as counseling, participation in educational programs, parental notification under limited circumstances, and ineligibility to participate in University activities or events. Periodic contact with a designated member of the University Community or non-college professional may be required. If the Student fully complies with the terms and conditions imposed in connection with the disciplinary probation, full student privileges will be restored to the student upon termination of the probationary period. Failure to comply with the terms and conditions of the probation constitutes prohibited conduct that is separate from and in addition to the conduct for which the probation was imposed. A Student accused of violation of probation will be given due notice of the alleged violation and the procedures set forth in this Code shall be followed.
- d. Loss of Privileges: Denial of specified privileges for a designated period.
- e. Restitution: Compensation for loss, damage to real or personal property. This may take the form of appropriate service and/or monetary or material replacement.
- f. Discretionary Sanctions: Work assignments, essays, service to the University, or other related discretionary assignments, referral for professional services such as counseling, participation in educational programs, parental notification under limited circumstances, and ineligibility to participate in University activities or events. Periodic contact with a designated member of the University Community or non-college professional may be required.
- g. Residence Hall Warning: A written notice to a Student advising him or her that specific behavior or activity constitutes a violation of the Code and that the repetition of such behavior will likely result in the commencement of more serious disciplinary action by the University.

the University, acting through its President (or his or her designee) for fraud, misrepresentation, or other violation of University standards in obtaining admission or the degree.

3. **Consequences of Failure to Comply with a Duly Assigned Sanction:** Failure to comply with sanctions which have been assigned through a formal judicial process may lead to one or more of the following consequences:

- a. Denial of access to certain university services, including, but not limited to housing and parking;
- b. Denial of access to administrative processes, including, but not limited to, course add/drop, pre-registration, registration, and room selection; and/or
- c. Withholding of the privilege of participation in university sponsored activities and/or public ceremonies, or formal disciplinary charges under II.B hereof.

4. **Sanctions Which May Be Imposed on Student Organizations**

- a. Sanctions: Those sanctions listed in subsections 1.a through f of Section II.D.
- b. Loss of recognition: Loss of recognition for a specified period of time results in the loss of privileges, such as the use of university space, access to student activity fee funding, and/or the privilege of functioning as a student organization. Loss of recognition for more than two (2) semesters shall require that an organization reapply for University recognition. Conditions for future recognition may be imposed by the hearing body.

III. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO COMMUNITY COLLEGE STUDENTS

Procedures for Community College students differ from those procedures applicable to either the Universities or Charter Oak State College. This is due to the environmental, cultural and administrative differences within the types of the institutions comprising CSCU. Procedures for addressing allegations and sanctions regarding academic misconduct (as defined in Section I.D.1 above) for Community College Students as set for in this Section III of the Code.

PART A: DISCIPLINARY PROCEDURES (Academic and Non-Academic Misconduct)

In regard to College Students, the following procedures shall govern the enforcement of the Code:

1. Information that a student may have violated the Code should be submitted to the Dean of Students, Dean of Academic Affairs or other designee of the President (hereinafter referred to as "the Dean"), normally within thirty (30) calendar days of the date of a possible violation or within thirty (30) calendar days of the date that the facts constituting a possible violation were known.
2. Upon receipt of information relating to a possible violation, the Dean may immediately place restrictions on or suspend a student on an interim basis if, in the judgment of the Dean, the continued presence of the student at the College or continued participation in the full range of college activities poses a danger to persons or property or constitutes an ongoing threat of disrupting the academic process.
 - a. "Interim restrictions" are limitations on the Student's participation in certain College functions and activities, access to certain locations on campus or access to certain persons, that do not prevent the Student from continuing to pursue his/her academic program. A Student upon whom the Dean has placed interim restrictions shall be afforded written reasons for the restrictions, as well as the time period during which the interim restrictions shall apply. The decision of the Dean regarding interim restrictions shall be final.
 - b. "Interim suspension" is the temporary separation of the Student from the College that involves the denial of all privileges, including entrance to College premises. Prior to imposing an interim suspension, the Dean shall make a good faith effort to meet with the Student. At this meeting, the Dean shall inform the Student of the information received and provide the Student an opportunity to present other information for the Dean's consideration. Based upon the information available at that time, the Dean shall determine whether the Student's continued presence on campus poses a danger to persons or property or constitutes an ongoing threat of disrupting the academic process. A Student suspended on an interim basis by the Dean shall be provided written reasons for the suspension and shall be entitled to an administrative conference or a hearing as soon as possible, normally within ten (10) calendar days from the date the interim suspension was imposed. The decision of the Dean regarding an interim suspension shall be final.
3. Following the imposition of interim restrictions or interim suspension, if any, the Dean shall promptly investigate the information received by meeting with individuals who may have

knowledge of the matter, including the accused Student, and by reviewing all relevant documents. If upon the conclusion of the Dean's investigation, the Dean determines that there is insufficient reason to believe the Student has committed a violation of any part of Section I.D. of this Policy, the Dean shall dismiss the matter and shall so inform the Student in writing.

4. If upon the conclusion of the Dean's investigation, the Dean determines that there is reason to believe the Student has committed a violation of any part of Section I. D. of this Code and, after considering both the possible violation and the prior conduct record of the Student, that a sanction of less than suspension or expulsion is appropriate, the Dean shall schedule an administrative conference with the Student. The Student shall be given reasonable notice of the time and place of the conference. At the administrative conference, the Student shall have the opportunity to present information for the Dean's consideration. At the conclusion of the administrative conference, the Dean shall determine whether it is more likely than not that the Student has violated the Policy and, if so, impose a sanction less than suspension or expulsion. The Dean shall provide the Student with a written explanation for the determination. The decision of the Dean shall be final.
5. If upon the conclusion of the Dean's investigation, the Dean determines that there is reason to believe the Student has committed a violation of any part of Section I.D. of this Code and, after considering both the violation and the prior conduct record of the Student, that a sanction of suspension or expulsion is appropriate, the Dean shall provide the Student with reasonable written notice of a meeting and shall inform the Student that his/her failure to attend the meeting or to respond to the notice may result in the imposition of the maximum permissible sanction. At the meeting, the Dean shall provide the Student with a written statement that shall include the following:
 - a. a concise statement of the alleged facts;
 - b. the provision(s) of Section I.D. that appear to have been violated;
 - c. the maximum permissible sanction; and
 - d. a statement that the student may resolve the matter by mutual agreement with the Dean, or may request a hearing by notifying the Dean in writing, which must be received by 5:00pm on the following business day.
6. If the Student requests a hearing, he/she is entitled to the following:
 - a. to be heard within five (5) days or as soon as reasonably possible, by an impartial party or panel whose members shall be appointed by the Dean;
 - b. if the Dean appoints an impartial panel, to have a Student on the panel if requested by the Student;
 - c. to appear in person and to have an advisor who not shall attend as a representative of the Student. However, if there is pending at the time of the hearing a criminal matter pertaining to the same incident that is the subject of the hearing, a lawyer may be present for the sole purpose of observing the proceedings and advising the Student concerning the effect of the proceedings on the pending criminal matter;
 - d. to hear and to question the information presented;
 - e. to present information, to present witnesses, and to make a statement on his or her behalf; and
 - f. to receive a written decision following the hearing.

7. As used herein, the term "impartial" shall mean that the individual was not a party to the incident under consideration and has no personal interest in the outcome of the proceedings. Prior to the commencement of the hearing, the Student who is subject to the hearing may challenge the appointment of an impartial party or panel member on the ground that the person(s) is (are) not impartial. The challenge shall be made in writing to the Dean and shall contain the reasons for the assertion that the person(s) is (are) not impartial. The decision of the Dean shall be final.
8. The written decision of the impartial party or panel shall specify whether, based on the information presented, it is more likely than not that the Student committed the violation(s) reported and shall state the sanction to be imposed, if any. The written decision shall be provided to the Student.
9. Sanctions imposed by an impartial party or panel are effective immediately. The President may, for good cause, suspend imposition of the sanctions imposed by the impartial party or panel to allow the Student time to prepare a written request for review. If a written request is received, the President may continue to suspend imposition of the sanctions until he has reviewed and acted on the Student's request.
10. A written request for review of the decision of the impartial party or panel must be received by the President within three (3) calendar days after the Student is notified of the decision and must clearly identify the grounds for review. The review by the President is limited to the record of the hearing, the written request, and any supporting documentation submitted with the request by the Student. The decision of the impartial party or the panel shall be upheld unless the President finds that:
 - a. a violation of the procedures set forth herein significantly prejudiced the Student; and/or
 - b. the information presented to the impartial party or panel was not substantial enough to justify the decision; and/or,
 - c. the sanction(s) imposed was (were) disproportionate to the seriousness of the violation.
11. Decisions under this procedure shall be made only by the college officials indicated.

PART B: DISCIPLINARY SANCTIONS

The prior conduct record of a Student shall be considered in determining the appropriate sanction for a Student who has been found to have violated any part of Section I.D. of this Code. Sanctions shall be progressive in nature; that is, more serious sanctions may be imposed if warranted by the prior conduct record of the Student.

A "sanction" may be any action affecting the status of an individual as a Student taken by the College in response to a violation of this Policy, and for the purposes of this Section III of the Code include but are not limited to the following:

1. "Expulsion" is a permanent separation from the College that involves denial of all Student privileges, including entrance to College premises;

2. "Suspension" is a temporary separation from the College that involves denial of all Student privileges, including entrance to college premises for the duration of the suspension, and may include conditions for reinstatement;
3. "Removal of College Privileges" involves restrictions on Student access to certain locations, functions and/or activities but does not preclude the Student from continuing to pursue his/her academic program;
4. "Probation" is a status that indicates either (a) serious misconduct not warranting expulsion, suspension, or removal of College privileges, or (b) repetition of misconduct after a warning has been imposed;
5. A "Warning" is a written notice to the Student indicating that he or she has engaged in conduct that is in violation of Section I.D. of this Code and that any repetition of such conduct or other conduct that violates this Code is likely to result in more serious sanctions;
6. "Community Restitution" requires a Student to perform a number of hours of service on the campus or in the community at large.

IV. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO CHARTER OAK STATE COLLEGE STUDENTS

Procedures for Charter Oak State College students differ from those procedures applicable to either the Community Colleges or the Universities. This is due to the environmental, cultural, and administrative differences within the types of the institutions comprising CSCU. Procedures for addressing allegations and sanctions regarding academic misconduct (as defined in Section I.D.1 above) for Charter Oak State College Students as set for in this Section IV of the Code.

PART A: RIGHTS AND RESPONSIBILITIES OF HEARING PARTICIPANTS

Hearing participants may include the accused student(s), a complainant, witnesses, support person(s), and the members of the hearing body.

The complaining party, any alleged victim, and the student who has been charged shall each have the right to:

1. Be notified of all charges.
2. Review any written complaint(s) submitted in support of the charge(s).
3. Be informed of the hearing process.
4. Request a delay of a hearing due to extenuating circumstances.
5. Be accompanied by an advisor or support person during the hearing.
6. Be present at all stages of the hearing process except during the private deliberations of the hearing body.
7. Submit a written statement regarding the incident.
8. Give a personal statement.
9. Question all statements and other information presented at the hearing.
10. Present information and witnesses when deemed appropriate and relevant by the hearing body.
11. Be informed of the finding(s) as well as any sanctions imposed.
12. Present a personal or community impact statement to the hearing body upon a finding of "Violation."

In addition to the above-mentioned rights, a student who has been charged with a violation of the Student Code of Conduct shall have the right to:

1. Be notified of the proposed information to be presented and to know the identity of witnesses who have been called to speak at the hearing when the Chair of the disciplinary hearing knows such information.
2. Request an alternate hearing panel member when there is reasonable cause to believe that the hearing panel will be unable to conduct an impartial hearing.
3. Be presumed not to be in "violation" of the code unless the facts presented at the hearing prove otherwise.
4. Deny or admit violating the Code of Conduct.
5. Decline to give a personal statement.
6. Present Character Witnesses, if appropriate.
7. Receive a written notice of the sanction(s) imposed.

PART B: DISCIPLINARY PROCEDURES

The Administration and the Faculty of Charter Oak State College believe that all members of the academic community are entitled to expect compliance with Section I.D.1 Prohibited Conduct. Accordingly, any Student or employee of the College may initiate a disciplinary process in the manner specified by this section. Once the process has been initiated, all subsequent decisions concerning possible discipline of a Student or students rest with the appropriate College officials. The President shall designate the Provost or another College official to have responsibility for the disciplinary procedures.

1. A statement of possible violation must be filed in writing with the Provost within thirty (30) business days of the date of the alleged violation or within thirty (30) business days of the date the alleged violation was known. Said statement must specify the Student conduct in question and the part or parts of Section I.D.1 Prohibited Conduct, which it is alleged said conduct violates, if applicable.
2. If the Provost determines that the alleged conduct may violate the provisions of the Code or otherwise threatens the safety or order of the College, the Provost shall, within ten (10) business days of receiving a written statement, provide written notice to the Student of the statement of possible violation(s) and the fact that the allegations will be investigated. The investigation shall be conducted by the Provost and/or his or her designee(s), and may include but not be limited to interviews with witnesses, the complainant(s), and review of any pertinent materials and information, and shall include an interview with the Student suspected in engaging in misconduct conduct unless the Student suspected declines to be interviewed. The investigation shall be completed within thirty (30) business days of the Provost's receipt of the written statement of possible violation. A record of the investigations will be maintained.
3. Following completion of the informal investigation specified above, the Provost will (a) determine that there is insufficient basis in fact and dismiss the matter or (b) conclude that there is a sufficient factual basis for discipline.
4. If the Provost determines there is a sufficient factual basis for moving forward with disciplinary proceedings, he or she shall cause a written statement of charges to be provided to the Student. Said statement shall contain (a) a concise statement of the facts on which the charge is based; (b) a citation of the rule or rules alleged to have been violated; (c) a statement of the maximum penalty sought; (d) a statement that the Student may request a hearing by responding in writing to the Provost within thirty (30) business days requesting such hearing; and (e) a statement that failure to request a hearing may result in imposition of the penalty sought.
5. If the Student requests a formal hearing, the Student is entitled to the following: (a) a hearing be conducted within thirty (30) business days after receipt by Provost of a written request for a hearing; (b) to be heard by an impartial panel chaired by the Dean of the Faculty or his/her designee and composed of no fewer than two members of the Charter Oak State College Faculty, one appointed by the Dean of the Faculty and one Student appointed by the Student Association; (c) to appear in person or through a conference call or other mutually agreed upon electronic means, or to have a representative attend on his/her behalf; (d) be accompanied by a support person during the hearing; (e) to hear and have a reasonable opportunity to question adverse witnesses and to present evidence and testimony in his/her behalf; and (f) to receive a written decision within ten (10) business days following the hearing specifying the panel's

findings and the penalty assessed, if any. The hearing shall be taped and a record shall be maintained of this hearing.

6. Hearing: A hearing shall be conducted following the guidelines specified below:

On-site:

- a. A hearing shall be conducted in private.
- b. Admission of any person into the hearing room shall be at the discretion of the chair of the hearing body. The chair, who is the Dean of the Faculty or his/her designee, shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceeding.
- c. Except as directed by the chair, support persons shall limit their role in a hearing to that of a consultant to the accused, to the complainant or to the victim.
- d. The complainant and the accused are responsible for presenting their respective witnesses, any additional information, and any concluding statements regarding the charges and the information.
- e. In a manner deemed appropriate by the chair, the complainant and/or the accused may question the statements of any person who testifies.
- f. The hearing panel may question any witness presented by the accused and the complainant, including the complainant and the accused as well as any other witnesses the chair may choose to call.
- g. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Hearing Body at the discretion of the chair.
- h. All procedural questions are subject to the final decision of the chair or the Provost.
- i. After the hearing has concluded, the hearing panel, in private, will decide whether the Student charged with misconduct is in violation of the Student Code of Conduct. The Dean of the Faculty or his/her designee may participate in the discussion, but is a non-voting member. Only evidence introduced at the hearing shall be considered in the determination of the decision. Each decision shall be made on the basis of whether or not the information presented at the hearing substantiates the charges in a more likely than not manner.
- j. If the panel finds that the student violated the Student Conduct Code, the panel, in private, shall review the Student's academic transcript and disciplinary record, hear a character witness, if appropriate, and impose the appropriate sanction (s). The decision of the panel will be provided in writing to the Provost. The decision and sanction will be sent to the student in writing by the Provost.
- k. A taped record of the hearing will be maintained. The record shall be the property of the College.

Via the Phone:

- a. For the accused or complainant who cannot attend in person, Charter Oak State College will set up a conference call.
- b. Twenty-one (21) business days before the hearing, the Provost must receive all materials to be presented by the accused and by the complainant, including the names and relationships of the character witnesses and support persons. The Provost will send copies of the materials to the hearing panel, the accused, and

the complainant at least seven (7) business days before the hearing. The Provost will arrange for the conference call.

- c. The procedures outlined in the "on- site" section will be followed, unless they specifically apply only to the on-site hearing.
- d. Within ten (10) business days of the conclusion of the formal hearing, a Student may appeal the decision, in writing, to the President. An appeal shall be limited to a consideration of the verbatim record of the hearing and supporting documents for one or more of the following: a.) the process set forth in the guidelines was not followed and resulted in prejudice to the Student; b.) the evidence presented was insufficient to justify the decision; and c.) sanction(s) imposed was/were disproportionate to the gravity of the offense. The President may accept the decision of the hearing panel, overturn their decision, return the matter to the original hearing panel, or appoint a new hearing panel. The decision of the original hearing panel or the new hearing panel or the President will be sent to the Student in writing by the President and will be final.
- e. During any appeal period, any sanctions will remain in place and the Student will not be allowed to participate in a graduation ceremony nor graduate until the review process has been completed and a final decision rendered.

PART C: INTERIM ADMINISTRATIVE ACTION

The President or his/her designee may impose an interim "College Suspension" and/or other necessary restrictions on a Student prior to a hearing on the Student's alleged violation. Such action may be taken when, in the professional judgment of the President or his/her designee, a threat of imminent harm to persons or property exists.

Interim Administrative Action is not a sanction. Rather, it is an action to protect the safety and well-being of an accused Student, or other members of the College community, or greater community or to protect property. Such action is in effect only until a hearing is completed.

PART D: DISCIPLINARY SANCTIONS

Disciplinary penalty shall mean any action affecting the status of an individual as a Student taken by the College in response to a Student's misconduct in violation of Section I.D.1 Prohibited Conduct above, which penalties shall include but not be limited to:

- 1. Warning - A written notice that the Student has violated College Policy and a warning that another violation will likely result in a more severe sanction.
- 2. Restitution - Compensation for loss of or damage to property.
- 3. Academic Sanctions
- 4. Suspension - Suspension is a temporary disciplinary separation from the College involving denial of all Student privileges, including entrance to College premises. A notation of "suspension" will be placed in the Student database but will not be placed on the Student transcript. Charter Oak State College will not accept credits earned at another institution or through any other means during a period of suspension. Suspensions shall range from one semester to two years.
- 5. Students who are suspended will receive no refund of tuition or fees.
- 6. A Student who has been suspended must apply for re-matriculation if he/she plans to return.
- 7. Expulsion - Expulsion is mandatory separation from the College involving denial of all Student privileges, including entrance to college premises for a minimum of 5 years.

After the length of the term for expulsion has expired, the Student may request in writing directed to the Provost permission to re-matriculate. That permission must indicate why Charter Oak State College should allow the Student to return.

8. Charter Oak State College will not accept credits earned at another institution or through any other means during a period of expulsion. A permanent notation of "Dismissed" shall be placed on the Student's transcript.

Failure to comply with requirements of Restitution or Academic Sanctions above will result in dismissal from the institution. The Student must complete the requirements of the sanction before he/she would be allowed to apply for readmission and/or graduate.

1/1/2015

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EXHIBIT G

Charles Alexander

From: [REDACTED]
Sent: Tuesday, September 08, 2015 11:12 PM
To: Charles Alexander
Cc: [REDACTED]
Subject: Witness

Hello Charles,

I hope everything is going well. It has come to my attention that I was asked to be a witness and give my statement for the situation that happened between A [REDACTED] and Paul Lionetti, but I have to work Wednesday morning. I messaged A [REDACTED] on September 4th, 2015 to say hi and catch up with her, but was thrown off about the scenarios that happened at the end of the Spring semester.

To start off, I have known Paul for a few years, but really got to know him more when we became suitemates at the start of last Fall semester. He seemed like a friend that everybody would like, and we hung out just about every day. But in February, I overheard him talk on the phone and he was saying negative things about me and my roommate. That was when I started to break away little by little from him. I started to see the personalities he had when he wasn't around me (or at least in the same room as me.) When him and A [REDACTED] became a couple, both of them seemed really happy, and Paul seemed almost depressed beforehand. He wanted to be in a relationship so badly to the point where he would get into severe funks. He met another girl before he started talking to Ashley, and they would argue so much, it seemed it would get into violent arguments. So, I thought A [REDACTED] was a blessing to him. As the weeks went on, things seemed okay, but I've always had a slight feeling something would happen behind closed doors. Something just didn't feel right with me about him and A [REDACTED], even though they seemed happy. One night, I woke up to Paul falling in the bathroom crying and getting sick *while on the phone with A [REDACTED]* saying how he would harm himself or leave school if A [REDACTED] were to break up with him. I heard him get sick for a while, and heard him leave the room to go see A [REDACTED]. I believe this happened maybe the middle of April. Ever since that night, I've noticed A [REDACTED] not as happy, or just trying to show she's really happy when I can tell she wasn't. I stopped hanging out with Paul the last few weeks of the semester. I would always keep my door closed, or not go to the café with him because it would be awkward. I saw him in a different light, and it almost made me feel uncomfortable. He would joke around, but I knew he meant whatever he said. I was happy the semester ended because I knew I wouldn't be his roommate for the following semester.

I'm sorry I'm not able to make it for the meeting to give my testimony, but I hope this helps. From what I've heard and seen, a mentality such as Paul's has gone out of control. I saw him punch a wall for getting upset over the little things before. I don't tolerate physical abuse and psychological abuse.

[REDACTED]

[REDACTED]

[REDACTED]

EXHIBIT H

9/9/15 @ 12:36 am

E [REDACTED]

It only took me a couple times of hanging out with Paul to realize that I don't trust him. One night in particular stands out in my mind. A [REDACTED] and Paul had gotten into an argument, and I remember they were on the phone. He claimed that he was getting so upset that he was on the floor of his bathroom throwing up. He was making fake gagging noises. He was saying that he was crying but I didn't believe him. I had previously been in an emotionally abusive relationship so I recognized some of the same behavior in Paul that I had myself experienced. Then he had come to the room and continued to fake cry and make gagging noises. It almost sounded like he was swallowing air to make the fake gagging noises. He sat down on the ground and held his head in his hands and pretended to cry. I remember telling them that I didn't believe anything that he was saying at the moment. He was saying things like "I'm a horrible person, I don't deserve to have anything to do with you." "You should just cut me out of your life completely." To try and make A [REDACTED] feel bad for him and forget her anger. He told A [REDACTED] multiple times that other members of staff last semester were saying horrible things about A [REDACTED] to isolate her. There were even times that my roommate and I felt that Paul tried to turn A [REDACTED] against us. He did this to isolate her from everyone except him, so he would be the only person she had in her life. I never liked him and I never trusted him. I always got an uneasy feeling when he was around.

EXHIBIT I

Statement

My decision to leave school at this time is in no way admittance of any guilt. I realize I am not required to attend these proceedings. I am here because I want to present my side of the story and assure you that I am innocent. These false accusations, lies and the drawn-out process have taken a toll on my mental health. My choice to leave WCSU at this point was based on my realization that I need to take care of myself both physically and mentally. These accusations are based on lies and an unhealthy relationship. I cannot control what my accuser says or does so I thought it best for me to take myself out of this situation and away from all the drama and to focus on me and my future. I know if I stayed at WCSU this harassment would continue and I would have no control to stop any future accusations and would not be able to move forward and focus on my education.

Regarding the accusations of physical abuse, these are highly exaggerated. There was one occasion this past May when we were together in my room, where the accuser was harassing me and physically jabbing at me to point where I was visibly upset. I asked her repeatedly to stop but she continued. I had grabbed her hand previously and turned her over stating that I wished to go to sleep. She paused for a brief moment but then she resumed jabbing me. I attempted to push her hand away again and accidentally made contact. I immediately and profusely apologized because this was not my intention. At that point we did go to sleep for the night.

I confided in her about my past of being bullied by classmates in high school and she seemed to use this information against me and continued to use what I shared with her as a way to distract and harass me further. This was mental/emotional abuse, and harassment from someone that I thought I could confide in and trust. If the accuser was afraid of me as she has stated why would she continue to ask to come to my house over the summer and spend time with me and my family?

I am truly sad that I will not be completing my senior year at WCSU and feel that this recent turn of events have stripped that opportunity away from me. That is unfair. I have realized that I cannot fight on the same level of lies and unnecessary drama as my accuser.

Last week I started to see a doctor for professional help. I also realized the recent situation has caused me to doubt myself, and I need to rebuild my confidence and integrity in myself and move forward.

My accuser has taken things she learned as an RA and distorted them to create this situation and abuse the system. This has become just another form of bullying. I hope that my accuser can learn and mature from this and not put anyone else through the same suffering I have endured.

I tried to follow all the rules and do everything right and when I didn't, I learned from my mistakes and I did not repeat them. I would always try my best to rectify any and all mistakes that I may have caused. If the University continues to handle similar situations as this one has been handled they will surely lose more students that could have been a testament to the school and its legacy. I was there solely for an education and to establish a foundation for my professional life.

Regarding the witness, C [REDACTED] she did not witness any of our personal relationship interactions between myself and my accuser. As I had previously witnessed, as well as other staff, C [REDACTED] and A [REDACTED] were anything but friends. I find it odd that they are now targeting me at this point in time.

It is with a heavy heart that I have withdrawn from the University, a place I once called home.

EXHIBIT J

-----X
PAUL LIONETTI

v.

WESTERN CONNECTICUT STATE UNIVERSITY

-----X

UNIVERSITY DISCIPLINARY HEARING

PRESIDING AT HEARING: MR. CHARLES ALEXANDER
DIRECTOR OF JUDICIAL AFFAIRS

DATE: September 9, 2015

CASE No. WF1501

APPEARANCES:

DR. PAUL M. SIMON

COREY SILVER

REBECCA DEVINE

AB

PAUL LIONETTI

SHEALAH BETHKE

CR

09/09/2015

1 MR. ALEXANDER: Good morning, it's about
2 9:40 a.m., on Wednesday, September 9th, 2015. This is
3 Case Number WF1501.

4 My name is Charles Alexander; I am the Director
5 of Judicial Affairs. I'm going to ask each
6 University Judicial Board Member if they could please
7 each introduce themselves for the record.

8 DR. SIMON: Dr. Paul M. Simon.

9 MR. SILVER: Corey Silver

10 MS. DEVINE: Rebecca Devine.

11 MR. ALEXANDER: And I'm going to ask the alleged
12 victim if she could please state her first and last
13 name for the record.

14 MS. AB.: AB.

15 MR. ALEXANDER: And I'm going ask the alleged
16 accused student if he could please state his first
17 and last name for the record.

18 MR. LIONETTI: Paul Lionetti.

19 MR. ALEXANDER: Okay. And at this time, I'm
20 going to ask the R.D., if she could also state her
21 first and last name for the record.

22 MS. BETHKE: Shealah Bethke.

23 MR. ALEXANDER: Okay. At this time, I'm going
24 to read into the record Shealah's incident.
25 Basically it says: Spring semester multiple

1 incidents, location, Grasso Hall. It says --
2 Shealah says Friday, August 21st and Monday, August
3 24th, then August 21st, '15 at 9:05, August 24th,
4 '15, at 6:30 p.m. It seems like the times were
5 reported to her.

6 "On Friday, August 21st, at 9:05, Paul Lionetti
7 stating he was a bit emotional, didn't think he would
8 be at training tomorrow. I asked Paul what's going
9 on, and he stated that he and R.A. A█████ had just
10 broken up. R.A. Lionetti stated that he had just
11 gotten off the phone with his parents, but that he
12 was still emotional. I talked to Paul for about 10
13 minutes, in which he stated he felt better and
14 understood he could not miss training because of
15 this. R.A. Lionetti stated he was going to watch a
16 movie with the rest of the penny staff and to do some
17 R.A. work. At 10:40, R.A. A█████ called me and
18 stated she would like to talk to me about some
19 issues, but was on mid-term. When R.A. A█████ came
20 to Grasso, she informed me that she and R.A. Lionetti
21 had just broken up and she was unsure of what he may
22 be doing because of it. R.A. A█████ stated that R.A.
23 Lionetti had some issues back in high school from
24 bullying, and he used to harm himself. At this
25 moment, I informed R.A. A█████ that R.A. Lionetti had

1 reached out to me about this issue and we talked for
2 some time in regard to his emotional wellbeing. I
3 informed R.A. A [REDACTED] I did not believe R.A. Lionetti
4 would harm himself, given that he reached out to me,
5 and he seemed more than fine on the phone after
6 speaking with him, and that I planned already check
7 up on him in about 30 minutes or so because he was
8 watching a movie with the staff.

9 At this moment, R.A. A [REDACTED] felt a little more
10 at ease, left my office. I contacted Paul, via text,
11 at 11:09 to check on him and ask him about the movie.
12 He replied back in a manner that was positive and
13 seemed to be doing well. We talked via text for
14 about 10 minutes, at which I stated I would see him
15 and the rest of the penny staff tomorrow morning.

16 On Monday, the 24th, at about 6:30 p.m., R.A.
17 A [REDACTED] approached me in my office stating she wanted
18 to talk. R.A. closed the door, and proceeded to
19 disclose information about how she doesn't feel safe
20 around R.A. Paul. R.A. A [REDACTED] informed me that R.A.
21 Paul had been physically and emotionally abusive to
22 her since last semester. R.A. A [REDACTED] informed me
23 that R.A. Paul manipulated her into isolation from
24 the Grasso staff last spring. R.A. A [REDACTED] also
25 stated that R.A. Paul slapped her across the face on

1 May 6th, while they were playing around lying in bed.
2 R.A. A [REDACTED] stated that R.A. Lionetti's behavior and
3 attitude changed drastically from playing around to
4 physically assaulting her, and then becoming
5 emotional by crying. R.A. A [REDACTED] proceeded by
6 telling me that R.A. Paul has threatened to harm
7 himself, kill himself, and leave school, if she ever
8 broke up with him. R.A. A [REDACTED] also claimed that
9 R.A. Paul informed her that he hears voices and sees
10 spirits when he is upset or angry, but they are not
11 malicious. R.A. A [REDACTED] also mentioned that the same
12 experience she was dealt with, R.A. Paul, is the same
13 as R.A. C [REDACTED] had last fall and early spring.

14 R.A. A [REDACTED] also stated that she has witnesses
15 and experienced R.A. Paul's manipulation and
16 compulsive lying with situations that involved him.
17 After R.A. A [REDACTED] disclosed all this information, I
18 informed her that I did not feel comfortable not
19 reporting this Ron Mason, that I needed to complete
20 the Inter-Personal Violence Form. R.A. A [REDACTED] stated
21 she understood. I called Ron Mason, at 7:32,
22 explaining everything that R.A. A [REDACTED] had just
23 stated; and to speak with him. Ron informed me to
24 fill out the IPB Form and to submit it to the Police
25 Department, and that he wanted to have a meeting with

1 A [REDACTED] the first thing on Tuesday.

2 In between this time, I spoke with R.A. A [REDACTED]
3 again, and we filled out the form together. After
4 the police were informed, I called Ron stating what
5 the next process would be to come on campus and
6 handle the incident now. Ron Mason informed me to
7 call Rae Gunther and see what advice she could give
8 us. I called Rae Gunther at 8:48 p.m. and left a
9 voicemail. I proceeded to let Ron know this
10 information. I called the University Police a short
11 time afterwards to come and retrieve the IBP Form.
12 Also, (indiscernible) responded and we spoke for some
13 time and he provided advice some time and he provided
14 advice that I could give to R.A. A [REDACTED] if she wished
15 to anonymous at this moment.

16 I followed with R.A. A [REDACTED] later, and made sure
17 that she felt okay, and that we would speak to Ron
18 first thing in the morning. On August 25th, Ron
19 called me stating me that he had informed Rae of
20 everything and that we would be holding a meeting
21 with R.A. Paul.

22 Ron also spoke with me and R.A. A [REDACTED] about
23 this process and her responsibility to R.A. training
24 for the day. R.A. wished to go home and be
25 compressed and she was emotional and believed that

1 going off campus for the day would help her regroup.

2 At about 11:30, R.A., Paul was permitted to join
3 the rest of the staff for R.A. training at Lake
4 Compounce, and he arrived at approximately 12:40.
5 R.A. Paul seemed in good spirits and we spoke briefly
6 about his meeting with Ron early this morning, in
7 which he stated he understood everything that the
8 Department needed to do.

9 On Wednesday, August 26th, R.A. A [REDACTED] and I
10 spoke about how she was feeling, and she mentioned
11 that she did not feel safe and wanted to make a full
12 report about R.A. Paul. At approximately 9:40 a.m.,
13 R.A. A [REDACTED] made a verbal report with Ron, Mary Beth
14 Griffin and myself." This was written by Shealah.

15 Shealah, is that an accurate report from your
16 knowledge.

17 MS. BETHKE: Yes.

18 MR. ALEXANDER: At this time, I'm going to ask
19 the Board Members if they have any questions for
20 Shealah regarding her statement or her involvement.

21 Dr. Simon, to Shealah -- to Shealah?

22 DR. SIMON: No.

23 MR. ALEXANDER: Mr. Silver?

24 MR. SILVER: No.

25 MS. DEVINE: Yes.

1 Shealah, are you aware or you had or have you
2 had any historical interactions with either A [REDACTED] or
3 Paul that informed this situation to you?

4 MS. BETHKE: Not personally. Last semester there
5 was issues between R.A. A [REDACTED] and R.A. Paul, and
6 R.A. C [REDACTED], because they were all on
7 (indiscernible) staff last semester. I was not their
8 supervisor, but you know inter department, we do
9 discuss some of these situations, so I knew there was
10 some kind of tricky issues between all three of them,
11 as A [REDACTED] was our new R.A. joining the staff the
12 spring semester, but besides that, I know there was
13 meetings between I believe (indiscernible) Mary Beth,
14 C [REDACTED], as well as Paul, so I don't really know
15 what the details of this matter, as I wasn't
16 personally involved.

17 MS. DEVINE: Okay. Thank you.

18 MR. ALEXANDER: Dr. Simon -- Shealah, does the
19 office have any written policy about R.A.'s dating or
20 seeing each other?

21 MS. BETHKE: There is no written policy about
22 that. We just do ask that they speak to the R.D.
23 about that, and then we kind of have a full
24 conversation. I always like Mary Beth know, Mary
25 Beth (indiscernible) if we do have any R.A.'s

1 especially on staff that are dating, but this is not
2 the first time that this has happened, two staff
3 members dating.

4 MR. ALEXANDER: An is that non-written policy
5 discussed with R.A.'s during training?

6 MS. BETHKE: I don't think it was necessarily
7 discussed during R.A. training, I think it's just
8 more in the staff room what happens. I mean the same
9 thing with R.A. dating residents, we can't tell them
10 not to. We can't tell them what the heart wants, I
11 guess, sometimes but it is a conversation -- a full
12 lengthy conversation between the supervisor and R.A.
13 that's also -- R.D. should be going to Mary Beth and
14 her department as well.

15 MR. ALEXANDER: Okay. Any others questions to
16 share with the Board Members.

17 A [REDACTED], do you have any questions for Resident
18 Director Shealah?

19 AB: No.

20 MR. ALEXANDER: Okay.

21 Paul, do you have any questions for Resident
22 Director Shealah, regarding her involvement?

23 MR. LIONETTI: No.

24 MR. ALEXANDER: Okay. At this time, I'm going
25 to read into the record A [REDACTED] statement:

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1 This says: "Spring Semester Multiple Incidents."
2 It says: "It says I invited R.A. Paul to my room in
3 Grasso, 309, to discuss my concerns about staff. I
4 mentioned that R.A. Clarissa didn't seem to want me
5 to speak to him. R.A. Paul told me that R.A. CR only
6 befriended me for the sole purpose of keeping me away
7 from him, and told me to stay away from her, and told
8 me not to listen to her.

9 Throughout the semester, R.A. Paul told me that
10 the whole staff hated me, thus isolating me from
11 staff. R.A. Paul would reassure me that I could just
12 hang out with him since no other staff member liked
13 me. The isolation caused tension on staff, and soon
14 led to arguments between R.A. CR and myself that was
15 eventually settled Resident Director Melissa Sanders.
16 During this time, I did not get along with R.A. CR,
17 R.A. Paul told me that he would have dreams about
18 shooting and stabbing her. R.A. Lionetti also told
19 residents that R.A. CR was mentally unstable and
20 stalking him. R.A. Lionetti (which is Paul) would
21 say that R.A. CR was the crazy one and that he was
22 the sane one. R.A. Paul told this to several
23 residents.

24 My relationship with R.A. Paul became intimate
25 towards the end of February 2015, although it was not

1 classified as an official relationship. When we
2 became intimate, I asked R.A. Paul if we could tell
3 R.D. Melissa about our relationship, as I didn't want
4 to get in trouble by having a relationship like that
5 with a staff member. R.A. Paul told me if I was to
6 tell R.D. Sanders about our relationship, we would
7 get fired, resulting in me not telling R.D. Sanders.
8 Eventually R.D. Sanders heard that R.A. Lionetti and
9 myself were intimate and questioned me on whether or
10 not it was true. I told R.D. Sanders that it was
11 true and told her that I wanted to tell her, but R.A.
12 Paul told me that I would get fired if I told. After
13 R.D. Sanders spoke to me I informed R.A. Paul that
14 she knew. R.A. Paul then sent a text to R.D. Sanders
15 asking himself and I could become official. On April
16 22nd, 2015, R.A. Paul and I were in an official
17 relationship that was known by the public.

18 Throughout the weeks I was involved in a
19 relationship, R.A. Paul would constantly remind me
20 that staff hates me and that he was the only one that
21 I could trust. On the night of May 6th, 2015, I was
22 invited by R.A. Paul to go to his room in Grasso,
23 which was 403. We were lying on the bed joking
24 around and laughing. I began to poke R.A. Paul in
25 which he responded by laughing and playfully saying

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1 to stop. R.A. Paul continued laughing, but then
2 stopped. R.A. Paul then slapped me across the face
3 hard enough to have a sting. R.A. Paul then began
4 crying and told me that he was a horrible person.
5 R.A. Paul also informed me that he hears voices which
6 he thinks are spirits. I asked R.A. Paul if the
7 voices told him to slap me, and he told me no. I
8 began to comfort R.A. Paul by allowing him to cry on
9 my shoulder, and reassuring him that he was not a
10 horrible person. After about 30 minutes, R.A. Paul
11 fell asleep.

12 After school let out, R.A. Paul and I continued
13 to date. Throughout the summer, R.A. Paul and I
14 constantly fought. R.A. Paul called me "chubby" as
15 well as informed me that his mother did not think I
16 was good enough for him. I also witnessed R.A. Paul
17 lie to his parents and friends about what happened
18 between him and R.A. CR and himself. R.A. Paul told
19 people that R.A. CR and he were never in a sexual
20 relationship and that R.A. CR would not leave him
21 alone. These Statements he made were not true.

22 During the summer, R.A. Paul and myself broke up
23 around mid-July. The days leading up before the
24 incident, R.A. Paul told me that if I broke up with
25 him, he would drop out of school. R.A. Paul also

1 told me that if I broke up with him he would kill
2 himself. When I expressed my concerns to R.A. Paul
3 about how I felt when he said those things, R.A. Paul
4 told me I was verbally attacking him and that he was
5 not the one that was emotionally abusive that I was.

6 Around early August, I agreed to get back
7 together with R.A. Paul. When I mentioned to R.A.
8 Paul that he should get counseling to deal with his
9 anger, R.A. Paul told me that counseling was for the
10 weak. He then told me I was the one who should seek
11 counsel as I would be able to talk to them without
12 them without them talking back.

13 On August 16th, I returned to W.C. I was
14 already in Grasso Hall. R.A. Paul also moved in the
15 (indiscernible) Penny Hall. The night before R.A.
16 Paul and myself made an agreement, he could sleep
17 over that night; however, during the night of August
18 16th, R.A. G [REDACTED] and G [REDACTED] texted me and asked if
19 they could come see my room. I then turned to R.A.
20 Paul and asked him to leave the build that I would
21 like to bond with my staff alone. I apologized about
22 breaking with (indiscernible). After the R.A. G [REDACTED]
23 and G [REDACTED] had left, I texted R.A. Lionetti and told
24 him to just stay the night in his room in Penny, as I
25 was unsure if we would come back over, as I was under

1 the impression that he was not allowed over.

2 R.A. Paul called me and while crying over the
3 phone, began to swear at me, 'What the fuck? We
4 actually made plans and you ditched me for your
5 staff. Now I'm all alone. I'm hearing the voices
6 again. I'm always so alone.'

7 The next day, I avoided R.A. Paul, as I was
8 upset as to what he said. R.A. Paul then called me
9 that night. We fought on the phone, and I told R.A.
10 Paul that I did not like what he had said. R.A. Paul
11 then told me 'I did not do anything wrong, A [REDACTED].
12 You were the one who ditched me. You made me feel
13 like I did in high school when I was bullied. You
14 always make me feel so alone.' I began to hear a
15 weird background noise while we were on the phone.
16 When I asked R.A. Paul what he was doing, R.A. Paul
17 told me he was punching the wall.

18 The following morning, I once again avoided R.A.
19 Paul, in fear of his verbal harassment. Later that
20 night, R.A. Paul confronted me through text about
21 avoiding him. I told R.A. Paul everything in the
22 past and present he had done to make me upset with
23 him. R.A. Paul apologized and told me through texts
24 that I would fall apart without you, my life, I don't
25 know what I would do if we broke up. I

1 (indiscernible) call me. I sent him a text telling
2 him a text telling him to stop calling me, but he did
3 not stop. He called me several times, and left four
4 voicemails on my phone of himself crying. He then
5 demanded I answer the phone because I'm having a
6 panic attack, you should know what that is like. He
7 again began saying through texts A [REDACTED], please
8 answer. Ash, I'm hearing the voices again. A [REDACTED]
9 answer. I eventually picked up the phone and agreed
10 to talk to R.A. Paul the next day after scheduling
11 for desk hours.

12 On Friday, August 21st, around 9:00 p.m., I met
13 R.A. Paul by the student center. R.A. Paul told me
14 because I told him because I told him all the reasons
15 I was mad at him at once that I was making him feel
16 shitty and that I was verbally attacking him, making
17 me emotionally abusive. I told R.A. Paul that we
18 needed to break up. R.A. Paul began crying. He then
19 started making a fist with one hand, and punching it
20 into his other palm. R.A. Paul began standing up and
21 twitching, while continuing to punch his palm. R.A.
22 Paul also began saying one, two, three, one, two,
23 three, over and over again. R.A. Paul then began
24 backing away from me, and told me that this can't be
25 happening. I stood up and told R.A. Paul that ever

1 since you hit me, I was afraid of you. R.A. Paul ran
2 behind the classroom building on Westside crying.
3 When this happened I walked back to Grasso. R.A.
4 Paul then called me 10 minutes after. I asked Paul
5 if he had hurt himself, and he said he was going to.
6 I told him I would see him in training, and he
7 replied, 'No, I know you won't.' When I asked him
8 why, he replied, 'I'm not mentally stable.'

9 Later that night, I texted R.D. Shealah and
10 asked if I could speak to her. When I went to her
11 office, I told her that R.A. Paul and I broke up, and
12 that R.A. Paul threatened to hurt himself. R.D.
13 Shealah informed me to let her know we broke up, and
14 checked up on him again, to make sure he was all
15 right.

16 On Monday, August 24th, I went back to R.D.
17 Shealah about Paul hitting me last semester, as well
18 as a lot of things that has happened between us.
19 R.D. Shealah called R.D. Mason and we filled out that
20 Inter-personal violence form, after R.A. Paul had a
21 meeting on midtown with the Housing Director, Ron
22 Mason, at the Counseling Center, R.D. Paul drove to
23 Lake Compounce where he approached the Grasso staff
24 happily to let them know that he drove himself here.

25 R.A. Paul does not know any staff members at

1 Grasso very well, so R.A. Paul was going out of his
2 way to make his presence known. I was also phoned by
3 R.A. T [REDACTED] that R.A. Paul had called me a blackout
4 drunk and alcoholic a few days prior to this.

5 On Wednesday, August 26th, I met with R.D.
6 Shealah, the Director of Housing of (indiscernible)
7 and Mary Beth Griffin, to (indiscernible) this
8 information and to make a formal report about
9 everything stated above.

10 Since R.A. Paul has been slandering name,
11 approaching the Grasso staff unexpectedly and from
12 his previous impulsive actions and behaviors, I still
13 do not feel safe around him."

14 And that was the report from A [REDACTED].

15 A [REDACTED], would you be able to, at this time,
16 before we start questions, can you share with the
17 Board Members the voicemails that you have.

18 AB: Yeah, do you just want me to play them on
19 speaker?

20 MR. ALEXANDER: Yes, yeah, we should be able to
21 hear it.

22 AB: Okay.

23 The first one is where he starts crying; and
24 then there's the one where he (indiscernible) himself
25 constantly apologizing, but I'll playing the crying

1 ones first:

2 First Voicemail: (Indiscernible).

3 AB: That was the first one and that was on
4 August 20th at 1:06 a.m. The next one happens at
5 1:08 a.m., again, on August 20th.

6 Second Voicemail: (Indiscernible).

7 AB: The next one he left me was again on August
8 20th at 1:09 a.m.

9 Third Voicemail: (Indiscernible).

10 AB: The next voicemail he left me I get on
11 August 20th at 1:13 a.m.

12 Fourth Voicemail: (Indiscernible).

13 AB: The next one I have of him crying later
14 that night at 1:38, again apologizing. Did you want
15 me to play that one as well?

16 MR. ALEXANDER: That's fine. Go ahead.

17 AB: Okay.

18 Fifth Voicemail: (Indiscernible) Sorry I called
19 again. (Indiscernible), I know you're upset. I
20 don't understand it. I can't understand why you're
21 upset. (Indiscernible) I know in (indiscernible)
22 I've done are wrong. I'm not a perfect person. I'm
23 trying to (indiscernible) and (indiscernible)
24 embedded myself, and (indiscernible) and I want to
25 right wrong (indiscernible) and if I could

1 (indiscernible). I wish you weren't mad at me right
2 now. I wish we could talk about and I wish we could
3 just deal with it. The way we deal with it is the
4 key. I promised never to give up on us and I want to
5 make this work, and I love you, and I really love
6 you, I mean you're the first person I
7 (indiscernible). I just feel like a total piece of
8 shit (indiscernible) over and over again.
9 (Indiscernible) fucked up. (Indiscernible) better
10 myself (indiscernible).

11 AB: It cuts out there.

12 MR. ALEXANDER: Okay.

13 AB: The rest of it.

14 MR. ALEXANDER: And that was all -- is that all
15 the messages, A [REDACTED]?

16 AB: Yes.

17 MR. ALEXANDER: Okay. And was there anything
18 else that you were going to share, that you need to
19 share with the Board that we didn't -- that they
20 don't know right now ahead of time, was there text
21 messages or stuff as well, or --

22 AB: There's a bunch of (indiscernible) text
23 messages, proving that he had told me he would drop
24 out of school, and found out -- that he was
25 constantly telling me to pick up the phone, that he

1 can't (indiscernible) and things such as that.

2 MR. ALEXANDER: And when it comes time for it,
3 if questions are asked of Paul, and if that is
4 denied, and the Board Members need to see those text
5 messages, then I'll go back and get them and show
6 them to the Board Members if they feel they need
7 that.

8 A [REDACTED], at this stage of the hearing, what
9 happens now, we are going to begin with the three
10 Board Members and Shealah if any of them have any
11 questions for you. You don't have to answer any
12 questions, but it's their opportunity to ask you
13 questions regarding your statement; okay?

14 AB: Okay.

15 MR. ALEXANDER: I'm going to start with Dr.
16 Simon.

17 MR. SIMON: Hi A [REDACTED], reading your report of
18 all the incidents that occurred during the spring
19 semester, you state that around early August you
20 agreed to go back to -- back together with Paul. Is
21 there -- could you just maybe discuss that decision a
22 little and what --

23 AB: Yeah, so all I did that day (indiscernible)
24 so we could have and, you know, previously to that
25 break up, he told me he would drop out of school and

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1 kill himself if I left him, and when I broke up with
2 him in August, during that week and a half I was
3 scared because I -- like -- I don't want to blame
4 myself because you know him dropping out of school.
5 I, you know, I cared about him as a person, so I
6 didn't particularly love him because we weren't in a
7 relationship that had been bad, so that was part of
8 it and I didn't miss him; and then part of me also
9 felt like I was a human being and it was my
10 responsibility to make sure nothing happened to him,
11 so that's part of the reason I did get back together.

12 MR. SIMON: Okay. Did you have any discussions
13 about appropriate behavior as a condition of going --
14 getting back together?

15 MS. AB: Not necessarily. When he called me he
16 was back out of school, kill himself if he left me.
17 I did discuss my concerns with him. I told him that
18 I didn't like that he told me that, that that made me
19 feel really pressured, that it scared me, and he told
20 me that he then of went back, and it was like well,
21 it's not necessarily because of you, but like it's
22 the pressure that would make him want to drop out of
23 school. But other than that, there was -- at that
24 time, when we broke up that time, there was no
25 discussion of behavior; however, towards the end of

1 August when we did break up, I did tell him if he
2 went to counseling and got help that I would -- I
3 would consider getting back together with him if he
4 changed, and he told me that counseling was for the
5 weak and he was not going to a counselor.

6 MR. SIMON: Okay. If I may, in your report, you
7 said he drove himself to Lake Compounce. I'm
8 assuming that's the day all the R.A.'s went to Lake
9 Compounce for training -- as part of training. Do
10 you know if Paul was still an R.A. at that point?

11 MS. AB: Under my -- under what I know yes, I do
12 (indiscernible), but I'm not positive, but I believe
13 he was.

14 MR. SIMON: Maybe this question -- I'll ask you,
15 but maybe it's more directed towards Shealah. Are
16 R.A.'s allowed to drive themselves to the office
17 campus training site, or were they required to take
18 bus transportation with everyone else?

19 MS. BETHKE: We were required to take bus
20 transportation, however, Ron Mason -- because he had
21 a meeting with Ron Mason and Dr. Gunther, he was
22 permitted to drive himself up to the Compounce.

23 MR. SIMON: Okay. Great.

24 And I'm sorry, just one more question. When you
25 were in his room -- your room, I guess, yeah, when

1 the slapping -- the poking incident occurred you're
2 saying you were just lying on the bed joking around
3 and laughing and you began to poke him. He asked you
4 to stop, did you continue -- you continued laughing,
5 according to the report, did you continue to poke
6 him, after he said stop?

7 MS. AB: Not really, it might have been once
8 more, but he was laughing and joking, so because we
9 do play around a lot, especially like at our desk, we
10 would play around, I didn't take it seriously,
11 because we were both laughing, and he was laughing,
12 and then after that I stopped, after once more, and
13 that is when he hit me.

14 MR. SIMON: Okay. Thank you.

15 MR. ALEXANDER: Mr. Silver, do you have any
16 questions for A [REDACTED].

17 MR. SILVER: I have one question about the
18 isolation from the staff. You kind of mentioned that
19 in your statement. What do you mean by that, he
20 would just try and keep you from --

21 MS. AB: You know being me I confided in him
22 that, you know, I'm a very nervous person. You know
23 I care about what people think, which I shouldn't,
24 and he would tell me after R.A. CR started to dislike
25 each other a little bit, he told me that the rest of

1 the staff took her side, and he talked about members
2 hating, you know they saw me as a stupid freshman,
3 that I didn't know what I was doing, and I never felt
4 comfortable (indiscernible) because you know like why
5 would I not believe -- why would I not believe, oh,
6 he was being nice and he was trying to help me, so
7 because of that I became more drawn from staff, I
8 didn't approach them as much, and a couple of times
9 throughout the semester, Paul would tell me that they
10 were saying horrible things. He came one time to let
11 me know that they hated me, that, you know, they
12 didn't want to speak to me. He didn't necessarily
13 say why, but that occurred multiple times throughout
14 the semester.

15 MR. SILVER: Okay. Thank you.

16 MR. ALEXANDER: Ms. Devine?

17 MS. DEVINE: A [REDACTED], can you just clarify for me
18 a little bit the situation with CR. Just at the
19 beginning of your incident description, you said that
20 you spoke to Paul, and that C [REDACTED] didn't seem to
21 want to speak to you. At this point in time, were
22 you aware of any kind of a history with them? Like
23 what was -- what was the story there?

24 MS. AB: I was aware that they had somehow they
25 became C [REDACTED] and Paul --

1 MS. DEVINE: Yes.

2 MS. AB: -- and C [REDACTED] seemed to have -- why
3 does she not speak to Paul, so I thought I'd stay
4 away and I wasn't sure as to why. I knew C [REDACTED]
5 side, but I just wanted, you know, what Paul had to
6 say, because I felt, you know, I didn't know really
7 what was going on fully. So Paul explained to me
8 that there was a history between him and C [REDACTED],
9 but that C [REDACTED] was insane and had fucked with him,
10 and that he had -- he told me it was the full purpose
11 of keeping me away from him, and that I needed to be
12 weary of her and stay away from her because he was
13 not going to permit our friendship.

14 MS. DEVINE: And in your interactions with
15 C [REDACTED], how did you -- I know you mentioned a few
16 minutes ago that you guys weren't liking each other
17 at one point. How did that all pan out between the
18 two of you?

19 MS. AB: I don't know -- we just -- there was --
20 we like never verbally attacked each other or
21 anything, it was more or less like the cold shoulder
22 and some gossiping. We never really fully addressed
23 to each other why we -- I'm sure she was upset, like
24 I was -- there was like interactions with people, and
25 I understand why she was upset, and I didn't know

1 that complication until end, and when it got out of
2 hand other staff members were talking about it, and
3 it got back to Melissa, who sat a person right down
4 and we could discuss C [REDACTED] stating that she just
5 wanted me to go to her when I was upset, instead of
6 going to Paul, and I stated that I just didn't want
7 that to be, and it ended that way, with Melissa doing
8 a mediation between us.

9 MS. DEVINE: Okay. And when was that?

10 MS. AB: That was towards the end of the
11 semester.

12 MS. DEVINE: Okay. And also throughout your
13 statement, there was the indication that you had
14 concerns about being in a relationship with Paul, and
15 the Resident Directors finding out about it, and you
16 weren't sure if he was allowed to come over the first
17 night back last month?

18 MS. AB: Yes.

19 MS. DEVINE: Can you -- can you guide me on
20 where those beliefs came from and what your concerns
21 were?

22 MS. AB: Okay. Sure, so that first belief back
23 last semester that R.A.'s were not allowed to date
24 was told to me by Paul. He said that Resident
25 Assistants were not allowed to date each other, and

1 when I asked him because I knew that there had been
2 some that had even had dated each other, he said that
3 it's a very huge process, that you have to have a
4 sit-down meeting Mary Beth. He said that it's
5 definitely not permitted and it could actually get us
6 fired --

7 MS. DEVINE: Hmm, hmm.

8 MS. AB: You know being scared like I love my
9 R.A. position, I didn't want to lose it, so I felt it
10 would be best, because he told that to not tell R.D.
11 Melissa Sanders, but that was clarified when Melissa
12 Sanders and I told her that Paul told me that we
13 would get fired, and she said that that was not true,
14 that there is no written policy.

15 The night where I said he was not allowed over
16 during this semester, during the beginning, it was in
17 part you're not allowed to have any guests and I
18 expressed that that's the problem in the beginning,
19 but Paul said he was allowed because he was an R.A.,
20 and, you know, I didn't want -- like Shealah was my
21 new R.D. I didn't want to give her a bad impression
22 of me. You know I didn't want -- after speaking, you
23 know, with G [REDACTED] and G [REDACTED], it just seemed like it
24 was a chill night, that no one else -- there was no
25 guests over, so I did not feel comfortable having

1 Paul over because I didn't want either of our jobs at
2 risk, so I did explain that to him.

3 MS. DEVINE: Thank you, A[REDACTED].

4 MR. ALEXANDER: Dr. Simon has a follow-up
5 question.

6 MR. SIMON: A[REDACTED], I just -- in the spring
7 semester, you joined as an R.A. in the spring?

8 MS. AB: Yes.

9 MR. SIMON: And this, again, was Grasso, Paul
10 was living in Grasso also at the time?

11 MS. AB: Yes.

12 MR. SIMON: Were you the only new R.D. coming
13 into -- excuse me the only new R.A. coming into
14 Grasso for the spring?

15 MS. AB: No, there was one other R.A., his name
16 was R[REDACTED] [REDACTED]. He was also a new R.A.

17 MR. SIMON: Okay. Did -- for lack of a better
18 term -- did you think of any type of, and I don't
19 mean hazing in the sense of the word hazing, but did
20 you feel anything, you know, extra special coming in
21 midstream when the rest of the team, you know, had
22 worked so closely together all of fall semester that
23 you got any of the new person kidding or lack of any
24 other term. I think you know where I'm headed.

25 MS. AB: Yeah, no, I mean I definitely what I

1 heard -- I was definitely nervous because they had
2 already formed their family. You know they had
3 already been there for a semester previous, and here
4 is I entering into a family that had already been
5 created, and I felt nervous because I wanted to
6 obviously be accepted. And I, being a freshman, and
7 an upper classman, Residents Hall did not know any of
8 the residents. I did not know any of the staff
9 members whatsoever, so it was very intimidating, and
10 I think this goes back with Paul.

11 I didn't feel any hazing, but Paul did say that
12 before I entered Grasso Hall, I guess it was like the
13 week that I was hired, Paul Lionetti told me that
14 they went on facebook and like looked up and like
15 looked up the new staff members to see who they were,
16 and that they pulled up my picture, and were saying
17 horrible things about it, like, oh, she looks like
18 she tries too hard, she just looks like, you know,
19 just a freshman. This is what Paul Lionetti told me,
20 and when I did afterwards casually ask the staff
21 about this, they said that that was not true that
22 they did pull up pictures of R [REDACTED] and I just to see
23 who we were, just to see what we looked like, to --
24 you know, just curious to see as to who was coming
25 into the staff, but there was no necessarily comments

1 like that made.

2 MR. SIMON: Okay. Any issues with any of the
3 other staff members in Grasso besides C [REDACTED] and
4 Paul?

5 MS. AB: No.

6 MR. SIMON: Okay. Thank you.

7 MR. ALEXANDER: R.D. Shealah, do you have any
8 questions for A [REDACTED] regarding her statement or her
9 involvement?

10 MS. BETHKE: The only thing I have if you could
11 just clarify this -- per our conversation -- when you
12 broke up with Paul, you know, that could
13 (indiscernible) for R.A. training, you had disclosed
14 to me that you felt it was a good time to break up
15 with Paul, because you were here in this environment,
16 you know, around people, is that still true?

17 MS. AB: Yes, I felt that -- that because I
18 wasn't going to be like alone, I didn't know what
19 would happen, I would be an environment full of
20 people, I had my staff, I felt like it was a new
21 semester, and I knew that our relationship was
22 passing, I was starting to like self-reliance, I mean
23 to get out of it. And I felt it was better to do it
24 in this environment where I do have people around me,
25 to do what I did, so that was best.

1 MR. ALEXANDER: A [REDACTED], right now the Board
2 Members have questions on behalf of Paul. As stated
3 earlier, you don't have to answer any questions.
4 These are questions that Paul would like answered, so
5 any Board Member, I'll be giving Dr. Simon -- any of
6 these questions, will you be able to ask any of these
7 questions?

8 MR. SIMON: Sure.

9 MR. ALEXANDER: Just give us another minute to
10 review them. I mean I think basically a lot of the
11 questions are summarized by, you know, if you were so
12 afraid of him, and everything, why did you go, you
13 know, see him at his parents and hang out with him a
14 lot when you seemed to be, you know, portraying him
15 as you were scared of him, I think, basically
16 summarizes most of those questions. I'm not speaking
17 for everyone, but that's the way I see it. Would you
18 like to answer that?

19 MS. AB: Okay. Well, during the semester, last
20 year, even though his actions and verbal abuse was
21 very scary for me, I felt because I was already
22 isolated from staff that he was only one I could turn
23 to despite everything.

24 I also felt, you know, I felt I was really
25 manipulated, because he went and, you know, the only

1 thing that he would turn around on me like he's not
2 the bad guy, I'm the bad guy. He was constantly
3 telling me I was a bad person, not him. That I was
4 constantly attacking him. There were times when I
5 was like maybe Paul's not a bad person, like yeah he
6 did things, but maybe, I don't know, maybe I deserved
7 it, maybe it was me, maybe I was just overthinking
8 things, maybe, you know, something like that he was
9 doing, maybe they weren't that bad. I -- you know, I
10 was constantly double-checking myself, so when he did
11 invite me, you know, over the summer, I mean I
12 battled over whether, you know, it was me or like
13 him, so I did go to his house. That doesn't mean I
14 didn't feel safe. I was still in love with him even
15 though he was abusive.

16 MR. ALEXANDER: Board Members, any of the other
17 questions that Paul has typed up; any of those other
18 questions that you would like to ask on behalf of
19 Paul.

20 MR. SIMON: I just want to get again the
21 timetable, you got back together -- I lost it, it was
22 here somewhere -- okay, around early August, you
23 agreed to get back together, so when you came back on
24 August 16th for a move-in, you were back -- A [REDACTED],
25 you were back together with him?

1 MS. AB: Yes, correct.

2 MR. SIMON: Okay. Then I'm going to ask the one
3 question he does have. On the day we moved back --
4 and again this is his question -- on the day we moved
5 back into our respective halls on August 16th, why
6 did you request me to help you unpack in Grasso? Why
7 did you invite me into Grasso? Why did you greet me
8 with a hug and a kiss, and a few other things?

9 MS. AB: The reason for that was because
10 obviously, like I said, I did still love him and it
11 was (indiscernible) impression that there was no
12 overnight guess, but obviously unpacking you're
13 allowed to have family and friends come to help us
14 unpack, so I didn't see anything wrong with that.
15 Like I said, going in when we got back together, I
16 still cared about him, I still loved him. We were
17 still in a relationship, so, of course, I wanted him
18 there despite everything, because, you know, I did
19 love him, and so I didn't see anything wrong with
20 that.

21 MR. ALEXANDER: Okay. Rebecca?

22 MS. DEVINE: A [REDACTED], the only item on Paul's
23 list that I don't kind of see it discussed anywhere
24 else, so I just want to ask you. He said that if I
25 didn't really about you as you have accused, why

1 would I have stayed up with you all hours of the late
2 night and early morning on multiple occasions as you
3 were vomiting because you went out and drank
4 excessively. I am less concerned about the whole did
5 you care about me; I mean as much as -- do you have
6 any issues or is there any concern about alcohol?

7 MS. AB: Is that question for me?

8 MS. DEVINE: Yes.

9 MS. AB: Did I drink last semester, yes, but did
10 it ever get to a horrible, horrible point?
11 Absolutely not, so I feel that that question is
12 completely irrelevant to the abuse that he put me
13 through.

14 Did he stay up and help me? Yeah, I'm not
15 saying he was a bad person the whole entire time.
16 There were times when he was nice to me, but as for
17 the drinking and everything, I don't see how this
18 really -- how he hurt me -- when I was drinking --
19 usually it was during the summer when he had an
20 issue, when I was not in the campus or not a
21 resident, so I do not understand why he would ask
22 that as this is not (indiscernible) to the situation.

23 MR. ALEXANDER: Board Members, are you all set?

24 MS. DEVINE: Yep.

25 MR. ALEXANDER: At this time, C [REDACTED], could

1 you state your first and last name for the record?

2 MS. CR: CR

3 MR. ALEXANDER: Okay. We heard your name
4 mentioned a few times. I'm not sure if the Board
5 Members have any questions for you, but I'm going to
6 open it up to them.

7 Dr. Simon, do you have any questions for
8 C [REDACTED] ?

9 DR. SIMON: Yeah, just a few, because some
10 comments have been made, C [REDACTED], so I'd like to
11 hear from you.

12 Were you in a relationship with Paul?

13 MS. CR: I wouldn't consider it a relationship,
14 was it sexual, absolutely, but was it emotional, no,
15 so I wouldn't consider it a relationship.

16 DR. SIMON: So you had a sexual relationship
17 with him, without emotion?

18 MS. CR: I did have feelings for Paul, which I
19 expressed to him in the beginning of our sexual
20 relationship. He told me, well, we can see where it
21 goes from here, and we continued with our sexual
22 relationship. Did I want more, absolutely, but I was
23 able to kind of push everything I was feeling aside,
24 just because I -- I enjoyed what was happening, so I
25 just kind of went with it. Again, do I wish

1 something happened at the time, yes, however, it
2 didn't and that's it.

3 DR. SIMON: Can you clarify the timeframe when
4 this was occurring?

5 MS. CR: It started somewhere between early
6 December and ended early January.

7 DR. SIMON: That's prior to A [REDACTED] joining the
8 staff?

9 MS. CR: Yes.

10 DR. SIMON: Okay. When A [REDACTED] joined the Grasso
11 staff, what type of relationship would you say you
12 had with her?

13 MS. CR: With A [REDACTED]?

14 DR. SIMON: Yeah.

15 MS. CR: I wanted a friendship. I had nothing
16 against her. I thought, you know, she's this
17 innocent looking girl, and I wanted to kind of take
18 her under my wing, and help her to the best of my
19 ability, because I was in her position, just a
20 semester ago, I knew how she was coming to an upper
21 class and building -- especially as a freshman it's
22 scary, and I wanted to help her in any way that I
23 could, so I wanted a friendship. We had no prior
24 relationship. It was the first time meeting each
25 other, but like I keep saying, I wanted a friendship

1 with her.

2 MR. SIMON: Okay. How do you react to A [REDACTED]
3 statement that Paul -- "Paul told me that the whole
4 staff hated me?"

5 MS. CR: That's not true. They had a strong
6 dislike for Paul, and the way it was coming off, it
7 must have seemed that they liked A [REDACTED] -- they
8 disliked A [REDACTED], but that was no one's intention,
9 they disliked the actions that Paul had, so no one
10 disliked her, we were just concerned and confused,
11 because we would never really see her walking around
12 the building, she would always be in her room or in
13 class. She would only come to the desk if she needed
14 to, so that was kind of -- that was a little
15 concerning for us, but we didn't want to approach her
16 because we didn't know if she had some kind of issue
17 with us, or, you know, maybe it was just a personal
18 issue, so we felt the need to just kind of take a
19 step back from the situation and -- and kind of take
20 it from there.

21 MR. ALEXANDER: Okay. Thank you.

22 Mr. Silver?

23 MR. SILVER: No.

24 MR. ALEXANDER: Ms. Devine?

25 MS. DEVINE: No.

1 MR. ALEXANDER: Sheila, any questions for
2 C [REDACTED]? Okay.

3 Paul, do you have any questions directly for
4 Clarissa?

5 MR. LIONETTI: No.

6 MR. ALEXANDER: At this stage of the hearing,
7 what happens now is I am going -- well, I have two
8 statements, but the Board Members need to know that,
9 you know, there's not -- there's no opportunity to
10 question either of these individuals. To be fair to
11 Paul, I did give Paul a copy of this.

12 The first is from EB, basically it was a
13 statement, and I received these in literally very,
14 very late, early morning last night.

15 E [REDACTED] E [REDACTED] said, "It only took me a couple of
16 times of hanging out with Paul to realize I don't
17 trust him. One night in particular stands out in
18 mind. A [REDACTED] and Paul had gotten into an argument,
19 and I remember they were on the phone. He claimed he
20 was getting so upset that he was on the floor of his
21 bathroom throwing up. He was making fake gagging
22 noises, he was saying that he was crying, but I
23 didn't believe him.

24 I had previously been in an emotionally abusive
25 relationship so I recognize some of the same behavior

1 in Paul that I had myself experienced. Minnie had
2 come into the room, and continued to fake cry, and
3 make gagging noises. It almost sounded like he was
4 swallowing air to make the fake gagging noises. He
5 sat down on the ground, held his hands in his head
6 pretending to cry. I remember telling him that I
7 didn't believe anything that he was saying, and at
8 the moment, he was saying things like I'm a horrible
9 person, I don't deserve to have anything to do with
10 you. You should just cut me out of your life
11 completely to try to make A[REDACTED] feel bad for him and
12 forget her anger. He told A[REDACTED] multiple times that
13 other members of staff last semester were saying
14 horrible things about A[REDACTED] to isolate her.

15 There were even times my roommate and I felt
16 that my roommate and I tried to turn A[REDACTED] against
17 us. He did this to isolate her from everyone, except
18 him, so he would be the only person she had in her
19 life. I never liked him and I never trusted him. I
20 always got an uneasy feeling when he was around."

21 The same thing to be fair to Paul, we don't have
22 an opportunity to question.

23 That's E.B and that would be -- is that a fellow
24 R.A. A[REDACTED]?

25 MS. AB: No, she's my roommate.

1 MR. ALEXANDER: Roommate.

2 MS. AB: She was my roommate last semester.

3 MR. ALEXANDER: Good.

4 And then the other individual is SJ. It says:
5 "I hope everything is going well. It has come to my
6 attention that I was asked to be a witness and give
7 my statement for a situation that happened between
8 A [REDACTED] and Paul, but I have to work Wednesday
9 morning. I messaged A [REDACTED] on September 4th to say
10 hi, catch up with her, but I was thrown off about the
11 scenarios that happened at the end of the spring
12 semester.

13 To start off, I've known Paul for a few years,
14 but really got to know him more because we were suite
15 at the start of last fall semester. He seemed like a
16 friend everybody would like and we hung out just
17 almost about every day, but in February, I overheard
18 him talk on a phone, he was saying negative things
19 about me and my roommate. That was when I started to
20 break away a little from him. I started to see the
21 personality he had when he wasn't around me, or at
22 least in the same room with me.

23 When him and A [REDACTED] became a couple, both of
24 them seemed really happy. Paul seemed almost
25 depressed beforehand. He wanted to be in a

1 relationship so badly to the point where he would get
2 into severe funks. He met another girl before he
3 started talking to A [REDACTED], and they would argue so
4 much, it seemed they would get into violent
5 arguments, so I thought A [REDACTED] was a blessing to him.

6 As the weeks went on things seemed okay, but
7 I've always had a slight feeling something would
8 happen behind closed doors. Something just didn't
9 feel right with me about him and A [REDACTED], even though
10 they seemed all happy.

11 One night I woke up to Paul falling in the
12 bathroom, crying and get sick while I was on the
13 phone with A [REDACTED] saying how he would harm himself or
14 leave school if A [REDACTED] were to break up with him. I
15 heard him get sick for a while and heard him leave
16 the room to get A [REDACTED]. I believe this happened
17 maybe in the middle of April. Ever since that night,
18 I noticed A [REDACTED] not as happy or just trying to show
19 she's really happy when I can tell she wasn't.

20 I stopped hanging out with Paul the last few
21 weeks of the semester. I'd always keep my door
22 closed, or not go to the café with him, because it
23 would be awkward. I saw him in a different light and
24 it almost made me feel uncomfortable. He would joke
25 around, but I knew he meant whatever he said. I was

1 happy the semester ended because I knew I wouldn't be
2 his roommate for the following semester.

3 I'm sorry not to be able to make it for the
4 meeting to give my testimony, but I hope this helps.
5 From what I heard and seen, as to the mentality, Paul
6 has just gone out of control.

7 I saw him punch a wall for getting upset before.
8 I don't tolerate physical abuse or psychological
9 abuse. Signed SJ."

10 The same thing to be fair to Paul or the members
11 who really don't have the opportunity to question
12 these individuals.

13 MR. SIMON: And he indicated he was Paul's
14 roommate?

15 MR. ALEXANDER: Suite mate the following
16 semester.

17 MR. ALEXANDER: Paul, at this time, you could
18 read your statement in for the record, and also
19 you'll have an opportunity, as we conclude, to give
20 concluding comments. Go ahead.

21 MR. LIONETTI: My decision to leave school at
22 this time is no way an admittance of any guilt. I
23 realize that I was not required to attend these
24 proceedings. I am here because I want to present my
25 side of the story and assure you that I am innocent.

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1 These false accusations lie and drawn out
2 process have taken a toll on my mental health. My
3 choice to leave WCSU at this time, at this point is
4 based on the realization that I need to take care of
5 myself, both physically and mentally.

6 These accusations are based on lies in an
7 unhealthy relationship. I cannot control what my
8 accuser says or does, so I thought it best for me to
9 take myself out of this situation, and away from all
10 of the drama to focus on myself and my future. I
11 know if I stayed at WCSU, this harassment would
12 continue and I would have no control to stop any
13 future accusations or not be able to move forward and
14 focus on my education.

15 Regarding the accusations of physical abuse,
16 these are highly exaggerated. There was one occasion
17 this past May when we were together in my room, when
18 the accuser was harassing me and physically jabbing
19 me to a point I was visibly upset. I asked her
20 repeatedly to stop, but she continued. I grabbed her
21 hand previously and turned her over stating that I
22 wished to go to sleep. She paused for a brief
23 moment, but then began as she resumed jabbing me. I
24 attempted to push her hand away and accidentally made
25 contact. I immediately and profusely apologized

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1 because this was not my intention. At this point, we
2 did go to sleep for the night.

3 I have confided in her about my past of being
4 bullied by classmates in high school, and she seemed
5 to use this information against me and continued to
6 use what I shared with her in a way to distract and
7 harass me further. This was mental and emotional
8 abuse, and harassment from someone I thought I could
9 confide in and trust.

10 If the accuser was afraid of me, as she has
11 stated, why would she continue to ask me to come to
12 my house over the summer and spend time with me and
13 my family.

14 I am truly sad that I will not be completing my
15 senior year at WCSU, and feel that the recent turn of
16 events have stripped that opportunity away from me.
17 That is unfair. I have realized that I cannot fight
18 on the same level of lies and unnecessary drama as my
19 accuser.

20 Last week, I have started seeking a doctor for
21 professional help. I also realize the recent
22 situation has caused me to doubt myself, and I need
23 to rebuild my confidence and integrity in myself and
24 move forward.

25 My accuser has taken things she learned as an

1 R.A. and distorted them to create the situation and
2 abuse the system. This has become just another form
3 of bullying. I hope that my accuser can learn and
4 mature from this and not put anyone else through the
5 same suffering I have endured.

6 I tried to follow the rules and do everything
7 right, and when I didn't, I learned from my mistakes,
8 and I did not repeat them. I would always try to do
9 my best to rectify any and all mistakes that I may
10 have caused.

11 If the University continues to handle similar
12 situations as this one has been handled, they will
13 surely lose more students that could have been a
14 testament to the school and its legacy. I was there
15 solely for an education and to establish a foundation
16 for my professional life.

17 Regarding the witness CR, she did not witness
18 any of our personal relationship interactions between
19 myself and accuser. As I have previously witnessed,
20 as well as other staff, CR and AB were anything but
21 friends. I find it odd that they are now targeting
22 me at this point in time.

23 It is with a heavy heart that I have withdrawn
24 from the University, a place I once called home.

25 MR. ALEXANDER: Paul, at this time, the Board

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1 Members and the Resident Director can ask you
2 questions. You have a right not to answer any
3 question. It doesn't mean you're responsible.
4 That's your right as a student.

5 Dr. Simon?

6 DR. SIMON: Paul, in your statement, "I
7 attempted to push her hand away and accidentally made
8 contact, can you elaborate on that, Paul?"

9 MR. LIONETTI: We were laying in bed, and she
10 kept -- she was on my left side and she kept jabbing
11 me here, and I went like this to grab her hand, and
12 just put it to the side, and when she went like this,
13 she was poking me all along my side, and her head was
14 around my chest, so I went to grab her hand, and it
15 was, I believe, her left hand, and she pulled it
16 away, and I went like that, as I went to grab, I
17 ended up touching her face, and I said, "Oh, my God,
18 I'm so sorry," cause I went pretty fast.

19 DR. SIMON: Okay. She, as you heard from her
20 statement said that you were joking around and
21 laughing, she began to poke and you responded by
22 laughing and playfully saying to stop. In your
23 statement, you are obviously state -- I'm reading
24 that it was not playful, you're not saying anything
25 about laughing. Can you try to explain the

1 difference in these two?

2 MR. LIONETTI: Prior to that, we had been joking
3 around, like we normally do, you know, shared jokes.
4 Sometimes she would tickle me. When she jabbed, I'm
5 very ticklish on my abdomen, so at sometimes she was
6 tickling me and then jabbing me. It was a mix
7 between the two. So I wasn't joking, and I told her
8 most of the times serious, "Please stop. I don't
9 want to keep doing this. I want to go to sleep." It
10 was, I think 12:00 o'clock or 1:00 o'clock in the
11 morning, and I had class, I was "Can we please go to
12 bed?" You know, it had been going on for about 30
13 minutes, I'd say.

14 MR. SIMON: Okay. This was in who --

15 MR. LIONETTI: This was my -- her room in
16 Grasso, 403.

17 MR. SIMON: Did you ever explicitly say, A [REDACTED],
18 can you please leave, I need to go to bed --

19 MR. LIONETTI: I -- I --

20 MR. SIMON: -- or were you planning for her to
21 spend the night?

22 MR. LIONETTI: I planned on her spending the
23 night, but I explicitly said, "Please stop. I want
24 to go to sleep. We both need sleep."

25 MR. SIMON: Hmm, hmm.

1 MR. ALEXANDER: Mr. Silver?

2 MR. SILVER: You know, it seems based on the
3 statements, you may have a little anger problem and
4 things like that in the past with (indiscernible) and
5 stuff, did she ask you if you should -- about
6 counseling and when you replied "You know that's for
7 the weak and everything." I see here you just
8 started it last week. Is there a reason why you
9 wouldn't have done that?

10 MR. LIONETTI: Back in high school, there was a
11 counselor at school and when I was being bullied, I
12 had physical marks, I had cuts, bruises, scraped, I
13 went to the Counselor, and they basically told me I
14 was making everything up, so I had a bad experience.
15 I stated I didn't really trust counseling, that's not
16 something I was interested in, and I didn't feel I
17 could benefit from it at the time. I mostly talk to
18 my parents a lot about what's going on. I have a
19 very close knit relationship with them, and most of
20 the time everything is manageable, I mean the daily
21 stresses are manageable.

22 MR. SILVER: All right.

23 MR. ALEXANDER: Ms. Devine?

24 MS. DEVINE: When A [REDACTED] played the voicemails
25 for us, the apology was at the end. You said

1 multiple times in a variety of ways, things in the
2 past, I've done things in the past, I've messed up,
3 but you know -- I got the impression that the apology
4 was now that you left, was more in mind with the
5 statements from A [REDACTED] than from your statement.
6 Would you care to elaborate on what you meant?

7 MR. LIONETTI: What I was referring to, I don't
8 know, I don't remember if she called me and left me a
9 voicemail. I think that was -- I called her the
10 morning after the panic attack, because she had
11 called me that night, and was upset with me. I was
12 referring to a lot of times when we had gotten into
13 verbal arguments where maybe I had cursed, like I
14 just quoted, "Like I'm sick of this situation. It's
15 a shitty situation," and a lot of times, she would
16 think I was cursing at her, but I wasn't, I'd just be
17 like this is stupid worrying about stupid things, and
18 a lot of times, and I would get upset. I know that
19 I've had like a nervous twitch, where she stated I
20 punched a wall. I sometimes tap my fist on like a
21 solid object like to ground myself when I start
22 getting anxious, but in no way was I ever physically
23 like striking a wall or anything. I never had like
24 any injuries from that or anything, but in regards to
25 her statement, the voicemail that I left her, I was

1 mostly -- I wanted to salvage our relationship,
2 because I felt like I had argued with her on some
3 things; some of the arguments were my fault, because
4 you make a big mess out of nothing, like you know --
5 I don't know, like it's just a normal little
6 disagreement one day, and then you really just get
7 into a heated argument, and then you look back at it,
8 and you're like that was stupid to argue about, and
9 that's what I was apologizing about.

10 MS. DEVINE: Okay. Did you ever tell A [REDACTED]
11 that if she broke up with you that you would leave
12 school, or that you would hurt yourself, or kill
13 yourself?

14 MR. LIONETTI: I never said I would harm myself,
15 or anyone else, or kill myself. I stated that I
16 might be upset, too upset to focus on my studies, as
17 I am now, so I would need to take time to go to
18 counseling, and figure out what I need to do to move
19 on, and that's what I'm doing now. There's no -- you
20 know, it's my responsibility, I can't be a student,
21 that's my job when I'm here is to be a student, so I
22 couldn't do that with all the stress and added
23 pressure, this and everything else going on. So I
24 thought it was best to resign from the R.A. position
25 and leave, since I'm not emotionally well and

1 physically well.

2 MS. DEVINE: Thank you.

3 MR. SIMON: I'm sorry. There are some
4 statements in A [REDACTED]'s report, if you can just agree
5 or disagree.

6 From A [REDACTED] report, "I also witnessed R.A.

7 Paul --

8 (Audio ends at this point.)

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CERTIFICATION

I, SALLY OMAR, certify that the foregoing Transcript of University Disciplinary Hearing of Paul Lionetti v. Western Connecticut State University, FBT-CV15-6054375-S, dated September 9, 2015 was prepared using electronic transcription equipment and is a true and accurate record of the proceedings.

Date: September 25, 2016



Sally Omar

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	17:5 40:8	work 3:17	
W		19:5 40:8	
	week 21:2	worked 28:22	
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wall 14:17	weird 14:15	42:1 48:9	
42:7	wellbeing	written 7:14	
49:20, 23	4:2		

EXHIBIT K

Dear Paul Lionetti
GH 403

9/10/2015

This letter officially notifies you of the outcome of the University Judicial Board held:

Date: 9/9/2015

Time: 9:30 am

The hearing was in relation to an incident with the following particulars:

Case #: WF15-01

Inc. Date: 5/6/2015

Inc. Time: Location: Grasso Hall

Based on your plea and/or the testimony given at the hearing, we found you Responsible for the following charges:

Charge 1: 4

Charge 2: 6

Charge 3: 12

Due to the circumstances of this case, as well as in consideration of any prior judicial history, the University Judicial Board issues the following sanction and/or conditions:

Sanction: Loss of Privileges

Sanction Conditions:

You have withdrawn from the university and as you stated during the hearing, you do not feel that you will return to WCSU. The University Judicial Board wanted it stated that they were surprised that you did not take ownership for any of the charges. You are banned from WCSU property until 8/20/16. If you decide to come back on 8/20/16, you are banned from residing in and visiting all residence halls. Also, you would be permitted to only attend academic activities, the libraries, and student centers. You stated to the board that you are currently seeing a counselor. If you decide to return to WCSU, you will first need to meet with the Dean of Students to ensure that you are all set to return. You are not to have contact by any means (i.e. technology, other friends, etc.) with Ms. [REDACTED]. If you need to come to campus for any reason, you must contact the Student Affairs office to be granted permission.

You have the right to appeal this decision to the Office of Student Affairs. Should you decide to exercise this right, you must pick-up an appeal form from the Dean of Student Affairs office or go on-line at <http://www.wcsu.edu/stuaffairs/forms> and fill out this form within three (3) University working days from your receipt of this letter, and turn into the Office of Student Affairs, Old Main room 306. Please make sure you describe why you are appealing and that it falls under at least one of the (3) reasons for filing an appeal. Disciplinary process at Western have been guided by the principle of having students gain an understanding of acceptable behavior. It is a process which has a goal of educating those who come into contact with it. The severity of one's actions is generally reflected in the sanction imposed. In this case, we would hope that this action will be a learning experience rather than one which reinforces the behavior demonstrated.

Sincerely,



Charles J. Alexander
Director of Judicial Affairs

c: File, Student Affairs, Campus Police, ADH/RD

EXHIBIT L



4.6-18
dws

Monday, September 28, 2015

Mr. Paul Lionetti
1100 Kings Highway East
Fairfield, CT. 06825

Dear Mr. Lionetti,

I have reviewed your appeal received by my office on September 14, 2015 concerning an incident report that was initially filed on May 6, 2015. You appealed your sanctions from your hearing on September 9, 2015 based on Grounds (1), (2) and (3) from the Judicial Appeal Letter.

My office conducted an Appeals Process Review meeting with you on September 23, 2015, reviewed the incident reports, your judicial file and listened to the recording of your Judicial Hearing. Based on the fact that you were able to demonstrate (2) that the sanctions imposed were not commensurate with the gravity of the offense for which you were found responsible, I am conditionally modifying your sanctions.

Your conditional modified sanction are as follows: effective immediately, your ban from WCSU property is lifted. You stated in your Appeal letter that you have withdrawn from the university and that you feel that you will not be returning to campus. Should you change your mind and decide to return to WCSU for any reason (student, guest), you must first request permission from the Dean of Student Affairs Office. That request must include written documentation from a licensed clinician/counselor that you are not a threat to yourself or others.

Additionally, you are to have NO further contact with the victim by any means, directly or indirectly, inclusive of all social media, technology and other friends...ect, at any time.

Should you have any questions about the process, please refer to the Student Code of Conduct in the Student Handbook. It is also available on the WCSU web site. You may also contact my office at 203-837-8549.

Respectfully,

Daryle J. Dennis
Assistant Dean, Student Affairs

cc: Mr. Charles Alexander, Director, Judicial Affairs Office
Dr. Keith Betts, Vice President for Student Affairs
Dr. Walter Cramer, Dean of Students
Chief Roger Connor, WCSU Campus Police
Mr. Ron Mason, Director, Housing & Residence Life
Mrs. Shealah Bethke, RDAD/HRL



WCSU STUDENT APPEALS CHECK LIST

☒ Appeals form completed (Y/N)

Date submitted: 9/14/15

Date received by Appeals Officer: 9/14/15

☒ Appeals Review Meeting (Y/N)

Review meeting date: 9/28/15

*** As explained to me by the Appeals Officer,
I fully understand the Appeals process: AR (Initial)

*** As explained to me by the Appeals Officer,
I fully understand that this decision is final: AR (Initial)

(Signature) Students Name: Paul L. Smith
Date: 9/23/15

(Signature) Appeals Officers Name: [Signature]
Date: 9/28/15

Daryle J. Dennis
Assistant Dean, Student Affairs
Western Connecticut State University, SC-227-A
181 White Street
Danbury, CT. 06810
203-837-8549 - Office
203-837-8213 - Fax



Judicial Appeal Form

Name: Paul Lionetti ID#: 50185866
please print
Address: 72 Swanycroft Road Shrumbull CT 06611 PH D32
street city state zip RIU/room #
Home Phone: 203-261-7478 Cell Phone: 203-331-6308
Email address: lionetti007@connect.wcsu.edu

Grounds for Appeal: The accused student has the right to appeal the decision of the hearing body on the grounds that: (please check any or all that apply)

- ☒ (1) the procedures set forth in this Code were not followed and, as a result, the decision was substantially affected;
- ☒ (2) the sanction(s) imposed were not appropriate for the violation of the Code for which the Accused Student was found responsible; or
- ☒ (3) new information, sufficient to alter the decision, or other relevant facts were not brought out in the original hearing because such information and/or facts were not known to the Accused Student at the time of the original hearing.

The appeal shall be limited to a review of the record except as required to explain the basis of new information. The appeal will not be heard by anyone involved in the initial hearing.

*Student Code of Conduct, Section II: Procedures for Addressing Allegations of Misconduct, Part B, Number 6: Appeals
For more information see Section II, Part II, Number 5: Hearing Procedures; or Section II, Part D: Disciplinary Sanctions*

Additional comments or explanations:

See attached

Paul Lionetti
Student Signature

9/14/15
Date

Note: Once you submit the appeal, please contact the Assistant Dean of Student Affairs, Mr. Daryle Demms, at 203-837-8549 within 48 hours to set up an appointment to discuss the appeal procedure.

Initials

Received by Student Affairs on: _____
Date

Lionetti Judicial Appeal Form (cont.)
Comments or Explanations:

(1) the procedures set forth in this Code were not followed and, as a result, the decision was substantially affected;

The University's Student Code of Conduct and Statement of Judicial Procedures states in pertinent part:

Part B: Procedures for Addressing Allegations of Nonacademic Misconduct

6. Hearing Procedures:

a. Notice of Hearing:

"The notice shall advise the Accused Student of each section of the Student Code alleged to have been violated and, with respect to each such section, a statement of the acts or omissions which are alleged to constitute a violation of the Code, including the approximate time when and the place where such acts or omissions allegedly occurred."

"The Accused Student shall be afforded a reasonable period of time to prepare for the hearing."

Paul Lionetti was never provided adequate notice of the allegations and evidence to be used against him. As such the hearing lacked the basic fairness and due process accorded by law. Despite requesting the reports the University failed to provide same. Instead, Paul Lionetti was provided the documentation just before the hearing on 9/9/15. This did not provide an adequate time to prepare a proper defense.

It is requested that the ruling of the Board be vacated and the matter scheduled for a new hearing in order to allow a proper and fair defense.